





Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

## 1946 SUPPLEMENT

to the

### CODE OF FEDERAL REGULATIONS

The following books are now available:

**Book 1: Titles 1 through 8, including, in Title 3, Presidential documents in full text with appropriate reference tables and index.**

**Book 2: Titles 9 through 20.**

These books may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D. C., at \$3.50 per copy.

A limited sales stock of the 1945 Supplement (4 books) is still available at \$3 a book.

## CONTENTS—Continued

<b>Fish and Wildlife Service</b>	Page
Rules and regulations:	
Southeastern Alaska area fisheries; closed seasons, shrimp fishing	5184
<b>Immigration and Naturalization Service</b>	
Rules and regulations:	
Revision of chapter	5065
<b>Interstate Commerce Commission</b>	
Notices:	
Freight rates, 1947; increased (Corr.)	5243

## RULES AND REGULATIONS

### CONTENTS—Continued

<b>Interstate Commerce Commission—Continued</b>	Page
Notices—Continued	
Reconsignment:	
Carrots at Chicago, Ill	5243
Potatoes at Omaha, Nebr	5243
Tomatoes at Chicago, Ill	5243
<b>Land Management, Bureau of</b>	
Notices:	
California; filing of plat of independent resurvey with tract segregations of patented lands	5237
Filing of plats of survey:	
Idaho	5238
Oregon	5238
Utah	5238
Wyoming	5238
Opening of public lands:	
Idaho	5241
Utah (2 documents)	5240
Wyoming; filing of plats of surveys and resurveys	5239
Rules and regulations:	
Oil and gas leases; limitations as to holdings	5184
<b>National Advisory Committee for Aeronautics</b>	
Rules and regulations:	
Information and records, availability	5184
Organization	5184
Laboratories	5184
Work for private parties	5184
<b>Post Office Department</b>	
Rules and regulations:	
International postal service; parcel post to China	5184
<b>Securities and Exchange Commission</b>	
Notices:	
Hearings, etc.:	
Consolidated Natural Gas Co	5244
General Public Utilities Corp	5244
Peoples Light and Power Co	5244
et al	5244
<b>Treasury Department</b>	
See also Coast Guard.	
Proposed rule making:	
Export of gold and re-export of gold refined from imported gold-bearing materials	5185
<b>Wage and Hour Division</b>	
Notices:	
Puerto Rico; acceptance of resignation from and appointment to Special Industry Committee 5 (3 documents)	5241
<b>War Department</b>	
Rules and regulations:	
Bridge regulations; Santee River, South Carolina	5184
Officers Reserve Corps; Medical Department Reserve	5064
<b>CODIFICATION GUIDE</b>	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.	
<b>Title 7—Agriculture</b>	Page
Chapter XXI—Organization, Functions and Procedure:	
Part 2326—Food Distribution Programs Branch	5061

### CODIFICATION GUIDE—Con.

<b>Title 8—Aliens and Nationality</b>	Page
Chapter I—Immigration and Naturalization Service, Department of Justice:	
Part 1—General information regarding the Immigration and Naturalization Service	5065
Part 60—Field service districts and officers	5069
Part 90—Departmental organization and authority	5072
Part 95—Enrollment and disbarment of attorneys and representatives	5074
Part 105—Head tax	5076
Part 107—Manifests	5077
Part 108—Recording of arrivals, departures, and registrations	5078
Part 110—Primary inspection and detention	5080
Part 112—Admission of holders of certificates of identity to prosecute an action under section 503 of the Nationality Act of 1940	5087
Part 114—Inspection of citizens and aliens entering from or through contiguous territory	5088
Part 115—Admission of agricultural workers under special legislation	5089
Part 116—Civil air navigation	5090
Part 118—Aliens in transit	5096
Part 120—Alien seamen	5097
Part 122—Laborers from countries granting limited passports	5102
Part 123—Foreign government representatives to international organizations	5103
Part 124—Alien contract laborers	5103
Part 125—Students	5104
Part 126—Admission of alien spouses and alien minor children of citizen members of the United States armed forces	5105
Part 127—Fiancées and fiancés of citizen members of the United States armed forces	5106
Part 128—Persons arriving by way of or from Hawaii; certificates	5107
Part 130—Boards of special inquiry	5108
Part 132—Readmission and temporary admission	5109
Part 134—Assistance to admitted aliens	5110
Part 136—Appeals from decisions by board of special inquiry	5110
Part 140—Medical officers and hospital treatment	5111
Part 142—Preexamination of aliens within the United States	5112
Part 145—Exclusion and deportation	5114
Part 150—Arrest and deportation	5114
Part 153—Deportation of insane and diseased aliens	5120
Part 154—Holding as witnesses aliens ordered deported	5120
Part 155—Detention expenses	5120
Part 157—Removal of distressed aliens from the United States	5121

## CODIFICATION GUIDE—Con.

<b>Title 8—Aliens and Nationality—Continued</b>	Page
Chapter I—Immigration and Naturalization Service, Department of Justice—Continued	
Part 160—Imposition and collection of fines	5122
Part 163—Subpenaing witnesses	5125
Part 164—Permit to reenter the United States	5125
Part 165—Formal petitions and applications	5126
Part 166—Aliens' border crossing identification cards	5128
Part 169—Immigration bonds	5129
Part 170—Registration and fingerprinting of aliens in accordance with the Alien Registration Act, 1940	5130
Part 172—Immigration, exclusion, and deportation of Filipinos under the provisions of the Philippine Rehabilitation Act of 1946 and the Philippine Trade Act of 1946	5135
Part 175—Control of persons entering and leaving the United States pursuant to the act of May 22, 1918, as amended	5135
Part 176—Documentary requirements for aliens, except seamen and airmen, entering the United States	5142
Part 177—Visas: documents required of alien seamen and airmen entering the United States	5145
Part 178—Posting of immigration laws by transportation companies	5148
Part 301—Definitions of words and phrases used in the Nationality Act of 1940	5148
Part 314—Acquisition of citizenship or nationality subsequent to birth: by judicial naturalization of individuals	5149
Part 315—Procedure for overcoming the presumption of expatriation under section 402 of the Nationality Act of 1940	5150
Part 316—Renunciation of United States nationality	5151
Part 317—Certificate of identity for admission to the United States to prosecute an action under section 503 of the Nationality Act of 1940	5151
Part 320—Naturalization courts and their jurisdiction	5153
Part 322—General class of persons who may be naturalized	5153
Part 324—Special classes of persons who may be naturalized: children	5154
Part 325—Special classes of persons who may be naturalized: aliens arriving in United States prior to sixteenth birthday	5155
Part 326—Special classes of persons who may be naturalized: spouses of United States citizens	5155
Part 330—Special classes of persons who may be naturalized: former United States citizens	5156

## CODIFICATION GUIDE—Con.

<b>Title 8—Aliens and Nationality—Continued</b>	Page
Chapter I—Immigration and Naturalization Service, Department of Justice—Continued	
Part 332—Special classes of persons who may be naturalized: persons misinformed as to their citizenship status	5158
Part 334—Special classes of persons who may be naturalized: veterans of the United States armed forces	5158
Part 335—Special classes of persons who may be naturalized: alien enemies	5159
Part 337—Special classes of persons who may be naturalized: seamen	5160
Part 338—Special classes of persons who may be naturalized: members or veterans of the United States armed forces during the Second World War within the jurisdiction of a naturalization court	5161
Part 339—Special classes of persons who may be naturalized: members of the United States armed forces during the Second World War not within the jurisdiction of any naturalization court	5161
Part 345—Special classes of persons who may be naturalized: nationals but not citizens of the United States	5162
Part 346—Special classes of persons who may be naturalized: Filipinos whose residence in the United States commenced before May 1, 1934	5163
Part 347—Special classes of persons who may be naturalized: Puerto Ricans	5163
Part 348—Special classes of persons who may be naturalized: Virgin Islanders	5163
Part 350—Racial limitations upon naturalization	5164
Part 352—Attachment to the principles of the Constitution and favorable disposition toward the good order and happiness of the United States	5164
Part 353—Good moral character	5164
Part 354—Residence and absence	5165
Part 356—Education requirements and education for citizenship	5166
Part 360—Clerks of naturalization courts and their duties	5166
Part 361—Official forms	5167
Part 362—Registry of aliens under the Nationality Act of 1940	5169
Part 363—Certificate of arrival	5170
Part 364—Photographs	5171
Part 365—Declaration of intention	5171
Part 370—Petition for naturalization	5172
Part 373—Naturalization hearings and proof of naturalization requirements	5173
Part 375—Oath of renunciation and allegiance	5174

## CODIFICATION GUIDE—Con.

<b>Title 8—Aliens and Nationality—Continued</b>	Page
Chapter I—Immigration and Naturalization Service, Department of Justice—Continued	
Part 377—Certificate of naturalization	5175
Part 378—Certificate of naturalization: veteran of First or Second World War Allied forces; person who voted in a foreign political election	5175
Part 379—Certificates of citizenship where citizenship acquired (1) by naturalization of parent, parents, or husband, or (2) by birth abroad to citizen parent or parents	5176
Part 380—Special certificate of naturalization for recognition by a foreign state	5177
Part 382—Naturalization papers replaced; new certificate in changed name	5177
Part 383—Fees and procedure to obtain certifications of or information from records	5178
Part 385—Revocation of records created and of naturalization and citizenship documents issued by the Commissioner	5179
<b>Title 9—Animals and Animal Products</b>	
Chapter I—Bureau of Animal Industry, Department of Agriculture:	
Part 94—Rinderpest and foot-and-mouth disease; prohibited and restricted importations	5180
<b>Title 10—Army: War Department</b>	
Chapter VI—Organized Reserves: Part 601—Officers Reserve Corps	5064
<b>Title 16—Commercial Practices</b>	
Chapter I—Federal Trade Commission:	
Part 3—Digest of cease and desist orders (2 documents)	5180, 5183
<b>Title 31—Money and Finance: Treasury</b>	
Chapter I—Monetary Offices, Department of the Treasury:	
Part 54—Provisional regulations issued under the Gold Reserve Act of 1934, as amended (proposed)	5185
<b>Title 32—National Defense</b>	
Chapter IV—National Advisory Committee for Aeronautics:	
Part 403—Organization (2 documents)	5184
Part 404—Work for private parties	5184
Part 405—Availability of information and records	5184
<b>Title 33—Navigation and Navigable Waters</b>	
Chapter II—Corps of Engineers, War Department:	
Part 203—Bridge regulations	5184

## RULES AND REGULATIONS

## CODIFICATION GUIDE—Con.

Title	Page
<b>Title 39—Postal Service</b>	
Chapter I—Post Office Department:	
Part 21—International postal service	5184
<b>Title 43—Public Lands: Interior</b>	
Chapter I—Bureau of Land Management, Department of the Interior:	
Part 192—Oil and gas leases	5184
<b>Title 50—Wildlife</b>	
Chapter I—Fish and Wildlife Service, Department of the Interior:	
Part 220—Southeastern Alaska area fisheries other than salmon	5184

Building T-1-A, Denver Federal Center, Room T-314, Denver, Colorado; 539 U. S. Terminal Annex, Dallas, Texas, with a Sub-Area office at 408 Mid-west Building, Oklahoma City, Oklahoma; and 449 West Peachtree Street, Atlanta, Georgia. Area and Sub-Area offices are primarily responsible for all operations of the Branch within their respective jurisdictions, in accordance with policies and procedures established in the Washington office.

§ 2326.3 *Public Information, submittals, and requests.* Any person desiring information or to make submittals or requests with respect to the programs and functions of the Branch should address: The Director, Food Distribution Programs Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., or the Area or Sub-Area office closest to where he resides.

The records of the Branch, including those maintained in field offices, are available for examination in accordance with the rules and designation of records issued by the Secretary (7 CFR, Part 2100).

## SUBPART B—FUNCTIONS AND PROCEDURE

§ 2326.10 *National school lunch program.*<sup>1</sup> The National School Lunch Act provides for a National School Lunch Program to be carried out in cooperation with the State educational agencies and nonprofit private schools. Under authority of the Secretary, this program is formulated and administered in this Branch.<sup>2</sup> The funds appropriated for this program for each fiscal year are apportioned by the Secretary pursuant to the formula set forth in the act which takes into consideration the number of school children in the State and the need for assistance in the State as indicated

<sup>1</sup> The delegation of authority with respect to administration of the National School Lunch Program, issued by the Acting Administrator, Production and Marketing Administration, on August 20, 1946 (11 F. R. 9193), is superseded by the revision of this part and is therefore rescinded.

<sup>2</sup> See 11 F. R. 8857 for text of delegation of authority from the Secretary to the Administrator, Production and Marketing Administration.

by the relation of the per capita income in the United States to the per capita income in the State. In the case of a State wherein the State educational agency is not permitted to disburse funds paid to it under the National School Lunch Act to nonprofit private schools, or is not permitted to match Federal funds made available for use by such non-profit private schools, the Department disburses funds directly to such non-profit private schools in accordance with the act. Agreements are entered into by the Department with State educational agencies and with non-profit private schools in States where the State agency cannot enter into agreements with such schools. Area or Sub-Area offices have authority to execute such agreements on forms prescribed by the Director. However, if any departures are to be made from the forms in connection with a particular State educational agency or a non-profit private school, the Area or Sub-Area office concerned is authorized to enter into negotiations with the State educational agency or the non-profit private school with respect to the execution of the agreement, but the agreement with the changes to be made must be submitted by the Area or Sub-Area office to the Director for approval on behalf of the Department. Upon the certification by the Secretary of Agriculture to the Secretary of the Treasury of the amounts to be paid to the States pursuant to the act, the Secretary of the Treasury will pay the States, at the time fixed by the Secretary of Agriculture, the amounts so certified. In the case of funds withheld for payment to non-profit private schools under the circumstances mentioned above, the Department will disburse the funds so withheld direct to such non-profit private schools in accordance with the act.

§ 2326.11 *Direct distribution of agricultural commodities and other foods.* From time to time supplies of agricultural commodities in abundance and other foods are distributed to public and non-profit private schools participating in the National School Lunch Program and to other public and non-profit private schools and institutions eligible to receive such commodities and foods. The Direct Distribution Division of this Branch prescribes the standards of eligibility and conditions under which such commodities and foods may be donated, pursuant to section 32 of the act of August 24, 1935, as amended, the act of June 28, 1937, as amended, 15 U. S. C. 713c, and sections 6 and 9 of the National School Lunch Act. Agreements on Form FP-51, or a revision thereof, are entered into with public or non-profit private agencies which will receive and distribute available agricultural commodities and other foods to eligible recipients. Area or Sub-Area offices of the Branch have authority to execute such agreements. Copies of the form may be obtained by writing to the appropriate Area or Sub-Area office or to the Director. From time to time, the Direct Distribution Division makes allocation of commodities available to distributing agencies, and notification thereof is given through the Area or Sub-Area offices to the distributing agencies.

§ 2326.12 *Food preservation.* Under the technical supervision of the Direct Distribution Division, food preservation specialist conduct workshops in different parts of the country to train supervisors of community, school, and institutional food preservation centers. These food specialists also provide technical assistance with respect to food preservation plant lay-out, facilities equipment, operating methods, and processing techniques. Anyone acting on behalf of a community, school, or institutional food preservation center may make application for securing these services by applying to the appropriate Area or Sub-Area office or to the Director.

§ 2326.13 *Cooperative programs with distributive trades groups.* The Abundant Foods Marketing Division of the Branch conducts programs to increase the movement of agricultural products through normal channels of trade. In order to accomplish this, the Division establishes liaison with food trade, public feeding, and allied groups to meet distribution problems which may be interfering with wider marketing of agricultural commodities; encourages increased consumer purchase and use of abundant or plentiful foods; plans and directs special marketing programs for such foods and secures the maximum cooperation of food trade groups in the operation of such programs; establishes and serves food distribution advisory groups in selected trading areas; assists vulnerable groups in obtaining minimum requirements of essential foods in periods of short supply; and conducts programs to encourage wider distribution and sale of new and improved food products through normal trade channels.

This revision is effective July 1, 1947.

Dated: July 25, 1947.

[SEAL] CHARLES F. BRANNAN,  
Acting Secretary.  
[F. R. Doc. 47-7173; Filed, July 30, 1947;  
8:56 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

## Chapter VI—Organized Reserves

## PART 601—OFFICERS RESERVE CORPS

## MEDICAL DEPARTMENT RESERVE

Rescind paragraph (o) of § 601.3 and substitute the following therefor:

§ 601.3 *Sections of the Officers Reserve Corps Area.* \* \* \*

- (o) Medical Department Reserve:
  - (1) Army Nurse Corps, ANC-Res.
  - (2) Dental Corps Reserve, Dent-Res.
  - (3) Medical Administrative Corps Reserve, MA-Res.
  - (4) Medical Corps Reserve, Med-Res.
  - (5) Pharmacy Corps Reserve, Ph-Res.
  - (6) Sanitary Corps Reserve, Sn-Res.
  - (7) Veterinary Corps Reserve, Vet-Res.
  - (8) Women's Medical Specialist Corps, WMS-Res (including dietitians, physical therapists, and occupational therapists).

[WD Cir. 356, Dec. 3, 1946 as amended by Cir. 183, July 12, 1947] (Sec. 37, 38 Stat.

2

189, 40 Stat. 73, sec. 3, 48 Stat. 939, 10  
U. S. C. 353)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 47-7169; Filed, July 30, 1947;  
8:55 a. m.]

## TITLE 8—ALIENS AND NATIONALITY

### Chapter I—Immigration and Naturalization Service, Department of Justice

Because of the numerous amendments which have been made in Title 8—*Aliens and Nationality*, Chapter I—*Immigration and Naturalization Service, Department of Justice*, of the Code of Federal Regulations, the chapter in its entirety is reprinted for convenient reference in this issue of the *FEDERAL REGISTER*. All amendments which have been made since June 1, 1938, the effective date of the original codification, through July 31, 1947, and which are currently effective, have been incorporated in this reprint, except that certain amendments, as noted in the text (see §§ 60.20, 110.20, 110.21, 110.33, 140.12, 150.5, and Part 169), do not become effective until September 1, 1947.

This reprint was prepared by the Division of the Federal Register with the concurrence of the Commissioner of Immigration and Naturalization, who has examined the contents for completeness and accuracy.

UGO CARUSI,  
Commissioner of Immigration  
and Naturalization.

JULY 30, 1947.

### SUBCHAPTER A—ADMINISTRATIVE ORGANIZATION

#### Part

- 1 General information regarding the Immigration and Naturalization Service.
- 60 Field service districts and officers.
- 90 Departmental organization and authority.
- 95 Enrollment and disbarment of attorneys and representatives.

### SUBCHAPTER B—IMMIGRATION REGULATIONS

- 105 Head tax.
- 107 Manifests.
- 108 Recording of arrivals, departures, and registrations.
- 110 Primary inspection and detention.
- 112 Admission of holders of certificates of identity to prosecute an action under section 503 of the Nationality Act of 1940.
- 114 Inspection of citizens and aliens entering from or through contiguous territory.
- 115 Admission of agricultural workers under special legislation.
- 116 Civil air navigation.
- 118 Aliens in transit.
- 120 Alien seamen.
- 122 Laborers from countries granting limited passports.
- 123 Foreign government representatives to international organizations.
- 124 Alien contract laborers.
- 125 Students.
- 126 Admission of alien spouses and alien minor children of citizen members of the United States armed forces.
- 127 Fiancées and fiancés of citizen members of the United States armed forces.
- 128 Persons arriving by way of or from Hawaii; certificates.

Part

- 130 Boards of special inquiry.
- 132 Readmission and temporary admission.
- 134 Assistance to admitted aliens.
- 136 Appeals from decisions by board of special inquiry.
- 140 Medical officers and hospital treatment.
- 142 Preexamination of aliens within the United States.
- 145 Exclusion and deportation.
- 150 Arrest and deportation.
- 153 Deportation of insane and diseased aliens.
- 154 Holding as witnesses aliens ordered deported.
- 155 Detention expenses.
- 157 Removal of distressed aliens from the United States.
- 160 Imposition and collection of fines.
- 163 Subpeonaing witnesses.
- 164 Permit to reenter the United States.
- 165 Formal petitions and applications.
- 166 Aliens' border crossing identification cards.
- 169 Immigration bonds.
- 170 Registration and fingerprinting of aliens in accordance with the Alien Registration Act, 1940.
- 172 Immigration, exclusion, and deportation of Filipinos under the provisions of the Philippine Rehabilitation Act of 1946 and the Philippine Trade Act of 1946.
- 175 Control of persons entering and leaving the United States pursuant to the act of May 22, 1918, as amended.
- 176 Documentary requirements for aliens, except seamen and airmen, entering the United States.
- 177 Visas: documents required of alien seamen and airmen entering the United States.
- 178 Posting of immigration laws by transportation companies.

SUBCHAPTER D—NATIONALITY REGULATIONS

- 301 Definitions of words and phrases used in the Nationality Act of 1940.
- 314 Acquisition of citizenship or nationality subsequent to birth: by judicial naturalization of individuals.
- 315 Procedure for overcoming the presumption of expatriation under section 402 of the Nationality Act of 1940.
- 316 Renunciation of United States nationality.
- 317 Certificate of identity for admission to the United States to prosecute an action under section 503 of the Nationality Act of 1940.
- 320 Naturalization courts and their jurisdiction.
- 322 General class of persons who may be naturalized.
- 324 Special classes of persons who may be naturalized: children.
- 325 Special classes of persons who may be naturalized: aliens arriving in United States prior to sixteenth birthday.
- 326 Special classes of persons who may be naturalized: spouses of United States citizens.
- 330 Special classes of persons who may be naturalized: former United States citizens.
- 332 Special classes of persons who may be naturalized: persons misinformed as to their citizenship status.
- 334 Special classes of persons who may be naturalized: veterans of the United States armed forces.
- 335 Special classes of persons who may be naturalized: alien enemies.
- 337 Special classes of persons who may be naturalized: seamen.
- 338 Special classes of persons who may be naturalized: members or veterans of the United States armed forces during the Second World War within the jurisdiction of a naturalization court.

Part

- 339 Special classes of persons who may be naturalized: members of the United States armed forces during the Second World War not within the jurisdiction of any naturalization court.
- 345 Special classes of persons who may be naturalized: nationals but not citizens of the United States.
- 346 Special classes of persons who may be naturalized: Filipinos whose residence in the United States commenced before May 1, 1934.
- 347 Special classes of persons who may be naturalized: Puerto Ricans.
- 348 Special classes of persons who may be naturalized: Virgin Islanders.
- 350 Racial limitations upon naturalization.
- 352 Attachment to the principles of the Constitution and favorable disposition toward the good order and happiness of the United States.
- 353 Good moral character.
- 354 Residence and absence.
- 356 Educational requirements and education for citizenship.
- 360 Clerks of naturalization courts and their duties.
- 361 Official forms.
- 362 Registry of aliens under Nationality Act of 1940.
- 363 Certificate of arrival.
- 364 Photographs.
- 365 Declaration of intention.
- 370 Petition for naturalization.
- 373 Naturalization hearings and proof of naturalization requirements.
- 375 Oath of renunciation and allegiance.
- 377 Certificate of naturalization.
- 378 Certificate of naturalization: veteran of First or Second World War Allied forces; person who voted in a foreign political election.
- 379 Certificates of citizenship where citizenship acquired (1) by naturalization of parent, parents, or husband, or (2) by birth abroad to citizen parent or parents.
- 380 Special certificate of naturalization for recognition by a foreign state.
- 382 Naturalization papers replaced; new certificate in changed name.
- 383 Fees and procedure to obtain certifications of or information from records.
- 385 Revocation of records created and of naturalization and citizenship documents issued by the Commissioner.

Subchapter A—Administrative Organization

PART 1—GENERAL INFORMATION REGARDING THE IMMIGRATION AND NATURALIZATION SERVICE

Sec.

1.1 Introduction.

ORGANIZATION

- 1.10 Organization of the Immigration and Naturalization Service.
- 1.11 Departmental: The Attorney General.
- 1.12 Departmental: The Board of Immigration Appeals.
- 1.13 Central Office: The Commissioner.
- 1.14 Central Office: The Deputy Commissioner.
- 1.15 Central Office: The Assistant Commissioner for Adjudications; Chief, Exclusion and Expulsion Section.
- 1.16 Central Office: The Assistant Commissioner for Alien Control.
- 1.17 Central Office: The General Counsel.
- 1.18 Central Office: The Director of Research and Educational Services.
- 1.19 Central Office: The Director of Administrative Services.
- 1.20 Central Office: The Director of Personnel.
- 1.21 Field Service: District directors.
- 1.22 Field Service: Officers in charge of ports of entry and other offices.

## RULES AND REGULATIONS

## Sec.

1.23 Field Service: Immigrant inspectors; boards of special inquiry; naturalization examiners; patrol inspectors.

## STATEMENT OF DELEGATIONS OF FINAL AUTHORITY

1.40 Final authority; power to delegate.  
 1.41 Final authority; delegation to Board of Immigration Appeals.  
 1.42 Final authority; delegation to Commissioner.  
 1.43 Final authority; delegation to General Counsel.  
 1.44 Final authority; delegation to Assistant Commissioner for Adjudications.  
 1.45 Final authority; delegation to Chief, Exclusion and Expulsion Section.  
 1.46 Final authority; delegation to district directors.  
 1.47 Final authority; delegation to boards of special inquiry.  
 1.48 Final authority; delegation to officers in charge of ports of entry.  
 1.49 Final authority; delegation to immigrant inspectors.

## PLACES AND MANNER OF SECURING INFORMATION

1.60 Places where, and methods whereby, information may be secured or submittals or requests made.

## PROCEDURES

1.70 General.  
 1.71 Rule making.

## AVAILABILITY OF OPINIONS, ORDERS, AND RECORDS

1.80 Opinions, orders, and records of the Immigration and Naturalization Service regarded as confidential.  
 1.81 Administrative decisions under immigration and nationality laws.  
 1.82 Inspection of records by attorneys.  
 1.83 Persons subject to proceedings.  
 1.84 Copies of records.  
 1.85 Intra-Service manuals.

AUTHORITY: §§ 1.1 to 1.85, inclusive, issued under sec. 3 (a) (1) and (2), 60 Stat. 238, 5 U. S. C., Sup., 1002. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 1.1 Introduction.** (a) The Immigration and Naturalization Service, Department of Justice, has already published in the Code of Federal Regulations and in the FEDERAL REGISTER much of the material required to be published by section 3 of the Administrative Procedure Act. This previously published material appears under Title 8, Chapter I, of the Code of Federal Regulations.

(b) There may also be procured from the United States Government Printing Office a copy of the publication entitled "Immigration and Nationality Laws and Regulations," containing currently effective statutes as well as prior statutes, Presidential proclamations, Executive orders, regulations issued by the Attorney General, regulations issued by the Commissioner of Immigration and Naturalization with the approval of the Attorney General, and other official matter. Annual supplements to such publication may also be purchased from the same source covering years in which a cumulative, superseding edition is not published. A loose-leaf edition of such publication containing integrated, current supplements may be examined at offices of the Immigration and Naturalization Service.

## ORGANIZATION

**§ 1.10 Organization of the Immigration and Naturalization Service.** The

organization of the Immigration and Naturalization Service—exclusive of that part of its organization handling matters pertaining solely to its internal management—is shown in §§ 1.11 to 1.23, inclusive, by stating the title and general function of its principal officials and officers.

**§ 1.11 Departmental: The Attorney General.** The Attorney General of the United States has general direction of the Immigration and Naturalization Service and possesses final statutory authority in determining certain matters arising under the provisions of the immigration and nationality laws and other laws administered by the Service.

**§ 1.12 Departmental: The Board of Immigration Appeals.** Under the direction of the Attorney General, the Board of Immigration Appeals in behalf of the Attorney General considers and determines certain cases in accordance with the provisions of Parts 90 and 95 of this chapter.

**§ 1.13 Central Office: The Commissioner.** Under the direction of the Attorney General, the Commissioner of Immigration and Naturalization supervises and directs the administration of the Immigration and Naturalization Service and, subject to such limitations and conditions as are provided in Part 90 and elsewhere in this chapter, administers the laws relating to immigration and nationality.

**§ 1.14 Central Office: The Deputy Commissioner.** The Deputy Commissioner assists the Commissioner generally in the performance of the duties of his office and, under the latter's direction, has particular supervision of Service operations and the personnel engaged therein.

**§ 1.15 Central Office: The Assistant Commissioner for Adjudications; Chief, Exclusion and Expulsion Section.** (a) Under the immediate direction of the Deputy Commissioner, the Assistant Commissioner for Adjudications considers, and determines or recommends the determination in, numerous types of quasi-judicial cases handled by the Service.

(1) The Chief of the Exclusion and Expulsion Section aids the Assistant Commissioner for Adjudications in his consideration of and action in, among others, those cases involving the admission, exclusion and deportation, or arrest and deportation of aliens.

**§ 1.16 Central Office: The Assistant Commissioner for Alien Control.** Under the immediate direction of the Deputy Commissioner, the Assistant Commissioner for Alien Control supervises and directs that part of the work of the Service relating to the guarding of the boundaries of the United States, the detention of aliens, and the execution of warrants of deportation.

**§ 1.17 Central Office: The General Counsel.** Under the direction of the Commissioner, the General Counsel exercises powers and performs legal duties such as those stated in §§ 90.17 and 60.25 (e) of this chapter.

**§ 1.18 Central Office: The Director of Research and Educational Services.** Under the direction of the Commissioner, the Director of Research and Educational Services supervises and directs that part of the work of the Service relating to the citizenship education program provided by section 327 (c) of the Nationality Act of 1940 (54 Stat. 1151; 8 U. S. C. 727 (c)) as implemented by Part 356 of this chapter.

**§ 1.19 Central Office: The Director of Administrative Services.** Under the direction of the Commissioner, the Director of Administrative Services supervises and directs that part of the work of the Service relating to budgetary and fiscal matters, procurement and supply, records, mail and other communications, information service, and planning.

**§ 1.20 Central Office: The Director of Personnel.** Under the direction of the Commissioner, the Director of Personnel supervises and directs that part of the work of the Service relating to the recruitment, placement, and training of personnel; position classification; and employee relations.

**§ 1.21 Field Service: District directors.** In each of the field districts defined in § 60.1 of this chapter, a district director, under the direction of the Commissioner, supervises the work of the Service in accordance with the general provisions contained in § 60.2 of this chapter.

**§ 1.22 Field Service: Officers in charge of ports of entry and other offices.** Under the immediate direction of a district director, an officer in charge of a port or other office performs assigned duties within a designated part of a district.

**§ 1.23 Field Service: Immigrant inspectors; boards of special inquiry; naturalization examiners; patrol inspectors—(a) Immigrant inspectors.** Under the administrative supervision of an officer in charge, an immigrant inspector makes the initial determinations on applications of aliens for admission to the United States and conducts investigations and examinations in connection with the right of aliens to be or remain in the United States.

(b) **Boards of special inquiry.** Under the administrative supervision of a district director and in accordance with the provisions of Parts 130 and 136 and other applicable provisions of this chapter, a board of special inquiry makes decisions in the cases of certain aliens seeking to enter the United States.

(c) **Naturalization examiners.** Under the administrative supervision of an officer in charge, a naturalization examiner conducts examinations and investigations in connection with applications for the various rights or privileges granted by the nationality laws and makes recommendations as to the determination of such applications; a naturalization examiner represents the Service at judicial hearings on petitions for naturalization and, when designated by the Commissioner or Deputy Commissioner, conducts preliminary hearings on petitions for naturalization.

(d) *Patrol inspectors.* Under the immediate direction of an officer in charge, a patrol inspector guards the boundaries of the United States against the illegal entry of aliens.

STATEMENT OF DELEGATIONS OF FINAL AUTHORITY

§ 1.40 *Final authority; power to delegate.* The final authority of the Attorney General in the administration of any designated provision of the immigration and nationality laws may be, and has in some instances been, delegated to the Board of Immigration Appeals, the Commissioner, or to such other officers of the United States Department of Justice, respectively, as the Attorney General may specifically designate. The delegation of any such authority by the Attorney General does not divest the Attorney General of such authority. With respect to any authority delegated, the Attorney General retains concurrent and coexistent power and authority. (R. S. 161, 360, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 327, 54 Stat. 1150, sec. 1, 54 Stat. 1238; 5 U. S. C. 22, 311, 8 U. S. C. 102, 222, 458, 727, 5 U. S. C. 1331)

§ 1.41 *Final authority; delegation to Board of Immigration Appeals.* A statement of the final authority of the Attorney General which has been delegated to the Board of Immigration Appeals is included in Part 90 of this chapter.

§ 1.42 *Final authority; delegation to Commissioner.* The Commissioner has authority to exercise or direct the exercise by subordinate officers of certain powers granted to him by the immigration and nationality laws. In addition, where a statute renders an action or determination by the Commissioner subject to the approval of the Attorney General, the Attorney General's authority to approve has been, with prescribed limitations, delegated to the Commissioner by § 90.1 of this chapter. The Commissioner has also been granted power to exercise such final authority of the Attorney General as is delegated by § 90.1 of this chapter, which includes, but is not limited to, determinations involving the following, subject to such provisions of Part 90 of this chapter as may be applicable:

(a) Appeals from decisions of boards of special inquiry in exclusion or pre-examination proceedings;

(b) Deportation (or expulsion) proceedings;

(c) Administrative fines and penalties against persons, steamship companies, or other carriers, for violations of the immigration laws;

(d) Applications for admission under the 7th or 9th proviso to section 3 of the Immigration Act of 1917;

(e) Requests for stay of execution of a warrant of deportation;

(f) Applications filed in accordance with section 9 of the Immigration Act of 1924 for nonquota or preference quota status;

(g) Denial of the privilege of landing alien immigrant passengers at United States ports in the case of transportation companies persistently violating the provisions of section 7 of the Immigration Act of 1917 (39 Stat. 879; 8 U. S. C. 143);

(h) Landing for medical treatment in a hospital of aliens certified to be suffering from tuberculosis in any form or from a loathsome or dangerous contagious disease other than one of a quarantinable nature (sec. 18, 39 Stat. 887; 8 U. S. C. 154);

(i) Admission of otherwise admissible immigrants not of the nationality specified in the immigration visa or not non-quota although so specified in the immigration visa (sec. 13 (d), 43 Stat. 161; 8 U. S. C. 213 (d));

(j) Permission to aliens admitted temporarily when under 16 years of age prior to May 26, 1924, either of whose parents was a citizen of the United States, to remain permanently in the United States (sec. 14, 43 Stat. 162; 8 U. S. C. 214).

§ 1.43 *Final authority; delegation to General Counsel.* The final authority of the Attorney General or the Commissioner delegated to the General Counsel is stated in § 90.17 of this chapter, and also includes authority to determine applications for copies of, information from, and certifications of immigration and naturalization records in the custody or control of the Commissioner, as provided in § 383.7 of this chapter (sec. 6 (a), 48 Stat. 1109, sec. 327 (g), 54 Stat. 1151, sec. 341 (e), 54 Stat. 1161; 28 U. S. C. 661, 8 U. S. C. 727 (g), 741 (e)); this authority is concurrent with and coextensive with that of the General Counsel as provided in § 383.7 of this chapter.

that at the termination of their contracts such aliens will depart from the United States (sec. 3, 39 Stat. 875, sec. 3, 47 Stat. 67; 8 U. S. C. 136 (h), 137d);

(i) Conditions of readmission of legally admitted immigrants who have departed temporarily from the United States and who apply for readmission without obtaining immigration visas (sec. 13 (b), 43 Stat. 161; 8 U. S. C. 213 (b));

(j) Applications for copies of, information from, and certifications of immigration and naturalization records in the custody or control of the Commissioner (sec. 6 (a), 48 Stat. 1109, sec. 327 (g), 54 Stat. 1151, sec. 341 (e), 54 Stat. 1161; 28 U. S. C. 661, 8 U. S. C. 727 (g), 741 (e)); this authority is concurrent with and coextensive with that of the General Counsel as provided in § 383.7 of this chapter.

§ 1.45 *Final authority; delegation to Chief, Exclusion and Expulsion Section.* Authority generally to issue warrants of arrest and warrants of deportation is delegated to the Chief, Exclusion and Expulsion Section. The authority of district directors to issue warrants of arrest and orders and warrants of deportation under the provisions of Part 150 of this chapter is not thereby impaired.

§ 1.46 *Final authority; delegation to district directors.* In addition to the powers granted to them by law, district directors have the final authority delegated to them in Part 60 and other parts of this chapter, including determinations involving the following:

(a) Waiver of the ninety days' notice required by section 326 (b) of the Nationality Act of 1940, as provided in § 335.3 (b) of this chapter (56 Stat. 183; 8 U. S. C. 1003);

(b) Approval and cancellation of bond Form I-354 (Old 554) entitled "Bond That Alien Shall Not Become a Public Charge," within the limitations of § 110.21 of this chapter (sec. 21, 39 Stat. 891; 8 U. S. C. 153); this authority is concurrent with and coextensive with that of officers in charge of ports of entry under the provisions of § 1.48 (c);

(c) Issuance of warrants of arrest and orders and warrants of deportation within the limitations stated in Part 150 of this chapter;

(d) Deportation of alien seamen on vessels other than the ones on which such seamen arrived, as provided in § 120.36 of this chapter (sec. 20 (c), 43 Stat. 164; 8 U. S. C. 167 (c)); this authority is concurrent with and coextensive with that of officers in charge of ports of entry under the provisions of § 1.48 (d);

(e) Approval and cancellation of bond Form I-375, within the limitations of § 127.4 of this chapter (sec. 4, 60 Stat. 340; 50 U. S. C. App., Sup., 1854); this authority is concurrent with and coextensive with that of officers in charge of ports of entry under the provisions of § 1.48 (e);

(f) Applications for copies of, information from, and certifications of immigration and naturalization records in their custody or control, as provided in § 383.7 of this chapter (sec. 6 (a), 48 Stat. 1109, sec. 327 (g), 54 Stat. 1151, sec. 341

(d);

(g);

(h);

(i);

(j).

## RULES AND REGULATIONS

(e), 54 Stat. 1161; 28 U. S. C. 661, 8 U. S. C. 727 (g), 741 (e)).

**§ 1.47 Final authority; delegation to boards of special inquiry.** In addition to the powers granted to them by law, boards of special inquiry have final authority delegated to them to make determinations involving the following:

(a) Admission of alien stowaways, within the limitations of § 110.50 of this chapter (sec. 3, 39 Stat. 875; 8 U. S. C. 136 (1));

(b) Admission on bond, or other security, of alien immigrants liable to exclusion because likely to become public charges or because of physical disability other than tuberculosis in any form or a loathsome or dangerous disease, within the limitations of § 110.20 of this chapter (sec. 21, 39 Stat. 891; 8 U. S. C. 158).

**§ 1.48 Final authority; delegation to officers in charge of ports of entry.** In addition to the powers granted to them by law, officers in charge of ports of entry have final authority delegated to them to make determinations involving the following:

(a) Admission of unaccompanied children under 16 years of age, within the limitations of § 110.49 of this chapter (sec. 3, 39 Stat. 875; 8 U. S. C. 136 (m));

(b) Admission on bond, or other security, of alien immigrants liable to exclusion because likely to become public charges or because of physical disability other than tuberculosis in any form or a loathsome or dangerous disease, within the limitations of § 110.20 of this chapter (sec. 21, 39 Stat. 891; 8 U. S. C. 158);

(c) Approval and cancellation of bond Form I-354 (Old 554) entitled "Bond That Alien Shall Not Become a Public Charge," within the limitations of § 110.21 of this chapter (sec. 21, 39 Stat. 891; 8 U. S. C. 158); this authority is concurrent with and coextensive with that of district directors under the provisions of § 1.46 (b);

(d) Deportation of alien seamen on vessels other than the ones on which such seamen arrived, as provided in § 120.36 of this chapter (sec. 20 (c), 43 Stat. 164; 8 U. S. C. 167 (c)); this authority is concurrent with and coextensive with that of district directors under the provisions of § 1.46 (d);

(e) Approval and cancellation of bond Form I-375, within the limitations of § 127.4 of this chapter (sec. 4, 60 Stat. 340; 50 U. S. C. App., Sup., 1854); this authority is concurrent with and coextensive with that of district directors under the provisions of § 1.46 (e).

**§ 1.49 Final authority; delegation to immigrant inspectors.** In addition to the powers granted to them by law, immigrant inspectors have final authority delegated to them to make determinations involving the admission of unaccompanied children under 16 years of age, within the limitations of § 110.48 of this chapter (sec. 3, 39 Stat. 875; 8 U. S. C. 136 (m)).

#### PLACES AND MANNER OF SECURING INFORMATION

**§ 1.60 Places where, and methods whereby, information may be secured or submittals or requests made.** (a) Any

person desiring information relative to a matter handled by the Immigration and Naturalization Service or any person desiring to make a submittal or request in connection with such a matter should communicate either orally or in writing with whichever of the following offices is most convenient for him:

(1) A district headquarters office of the Service. There are sixteen such offices located in the cities shown in § 60.1 of this chapter.

(2) A Class A port of entry shown in § 110.1 of this chapter.

(3) A United States immigration station located in Canada. Such offices are located in several of the large cities in Canada. They are shown in § 110.2 of this chapter.

(4) In addition to the places indicated in subparagraphs (1) and (2) of this paragraph, an Immigration and Naturalization Service office, one of which is located in most of the large cities of the United States including its insular possessions.

(5) With respect to naturalization matters only—the office of the clerk of any United States district court or of any other court exercising jurisdiction over naturalization.

(b) If the office where such communication is received is unable to handle the matter—because, for example, it does not have jurisdiction or facility—the communication, if written, will be forwarded to the proper office of the Service or, if oral, the person will be advised how to proceed. If the submittal or request consists of a formal application for one of the numerous documents, privileges, or other benefits provided for in the immigration and nationality laws, the instructions on the form as to preparation and place of submission should be followed (see § 60.30 of this chapter). In such cases, the part or section of this chapter dealing with the particular type of application may be consulted for regulatory provisions.

#### PROCEDURES

**§ 1.70 General.** The regulations of the Immigration and Naturalization Service, published as Title 8, Chapter I, Code of Federal Regulations, contain information which, under the provisions of section 3 (a) (2) and (3) of the Administrative Procedure Act, is required to be published. Any person desiring information with respect to a particular procedure (other than rule making) under the immigration and nationality laws should examine the part or section in Title 8, Chapter I, Code of Federal Regulations, dealing with such proceeding, as well as the statutes implemented by such part or section. The list of part numbers and designations appearing at the beginning of Title 8, Chapter I, Code of Federal Regulations, may be used as a guide to the regulation dealing with any particular type of proceeding. For example, in the immigration regulations Part 105 deals with "Head tax"; Part 107, with "Manifests"; Part 110, "Primary inspection and detention"; Part 114, "Inspection of citizens and aliens entering from or through contiguous territory"; Part 116, "Civil air navigation"; Part 118,

"Aliens in transit"; Part 120, "Alien seamen"; Part 123, "Foreign government representatives to international organizations"; Part 124, "Alien contract laborers"; Part 125, "Students"; Part 126, "Admission of alien spouses and alien minor children of citizen members of the United States armed forces"; Part 127, "Fiancées and fiancés of citizen members of the United States armed forces"; Part 128, "Persons arriving by way of or from Hawaii; certificates"; Part 130, "Boards of special inquiry"; Part 132, "Readmission and temporary admission"; Part 136, "Appeals from decisions by board of special inquiry"; Part 142, "Preexamination of aliens within the United States"; Part 145, "Exclusion and deportation"; Part 150, "Arrest and deportation"; Part 155, "Detention expenses"; Part 160, "Imposition and collection of fines"; Part 164, "Permit to reenter the United States"; Part 166, "Aliens' border crossing identification cards"; and Part 170, "Registration and fingerprinting of aliens in accordance with the Alien Registration Act, 1940." In the nationality regulations Part 320 deals with "Naturalization courts and their jurisdiction"; Part 322, with "General class of persons who may be naturalized"; and Parts 324, 325, 326, 330, 332, 334, 335, 337, 338, 339, 345, 347, and 348, with "Special classes of persons who may be naturalized," such as children, spouses of United States citizens, former United States citizens, veterans of the United States armed forces, alien enemies, seamen, and Puerto Ricans; Part 350 deals with "Racial limitations upon naturalization"; Part 353, with "Good moral character"; Part 354, "Residence and absence"; Part 356, "Educational requirements and education for citizenship"; Part 360, "Clerks of naturalization courts and their duties"; Part 361, "Official forms"; Part 362, "Registry of aliens under Nationality Act of 1940"; Part 363, "Certificate of arrival"; Part 364, "Photographs"; Part 365, "Declaration of intention"; Part 370, "Petition for naturalization"; Part 373, "Naturalization hearings and proof of naturalization requirements"; Part 375, "Oath of renunciation and allegiance"; Part 377, "Certificate of naturalization"; Part 378, "Certificate of naturalization for veteran of First or Second World War allied forces"; Part 379, "Certificates of citizenship where citizenship acquired (1) by naturalization of parent, parents, or husband, or (2) by birth abroad to citizen parent or parents"; Part 382, "Naturalization papers replaced; new certificate in changed name"; and Part 385, "Revocation of records created and of naturalization and citizenship documents issued by the Commissioner."

**§ 1.71 Rule making.** (a) There are numerous provisions in the statutes dealing with immigration and nationality which require the Commissioner of Immigration and Naturalization to issue, with the approval of the Attorney General, rules and regulations to implement such statutes (e. g., sec. 23, 39 Stat. 892, sec. 15, 43 Stat. 162, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 327 (b), 54 Stat. 1151, sec. 705, 56 Stat. 183, sec. 4, 60 Stat. 340; 8 U. S. C. and Sup., 102, 215, 222, 458 (a), 727 (b), 1005, 50 U. S. C.

App., Sup., 1854). Such valid rules and regulations have the force and effect of statutes. The authority of the Attorney General to approve the issuance of such rules and regulations has not been delegated by § 90.1 of this chapter, or otherwise. Rules and regulations are drafted by the Commissioner with the assistance of his staff (see § 90.17 of this chapter). The provisions of the Federal Register Act (49 Stat. 500, 50 Stat. 304, sec. 202, 53 Stat. 1435, 56 Stat. 1045; 44 U. S. C. and Sup., ch. 8B) and of the regulations thereunder (1 CFR, 1946 Supp., Part 2) governing the issuance of rules and regulations are observed. Rules and regulations drafted by the Commissioner are submitted to the Attorney General for approval and, upon being so approved, are filed with the Division of the Federal Register of the National Archives for publication in the **FEDERAL REGISTER**. Rules dealing with Service organization, including delegations of authority, are now and will hereafter be separately stated; that is, they appear in separate parts such as this Part 1 and Parts 60 and 90 of this chapter. Substantive rules will, on and after September 11, 1946, usually be issued in connection with adjective or other rules, but within each part dealing with a particular proceeding will be observed the requirements of section 3 (a) of the Administrative Procedure Act for separation of rules by type and content.

(b) There is no requirement in the immigration and nationality laws for the giving of notice of, or for hearing on, proposed rules or regulations under those laws. Pursuant to the provisions of section 4 (b) of the Administrative Procedure Act, substantive rules will hereafter be issued after the giving of notice and all interested persons will be given an opportunity to participate in such rule making under such conditions as may be specified in the notice of proposed rule making. Rules other than substantive may be issued without either notice or hearing. Petitions by interested persons for the issuance, amendment, or repeal of a rule may be submitted to the Commissioner of Immigration and Naturalization. Such petitions will be considered by the Commissioner and the petitioner will be notified of any denial of such petition and, where considered appropriate, of any other action taken in connection therewith.

(c) Authority is vested in the Attorney General by section 7 (d) of the Air Commerce Act of 1926 (44 Stat. 572; 49 U. S. C. 177 (d)) to issue certain rules applying immigration laws to civil air navigation. While such statute does not place any responsibility on the Commissioner of Immigration and Naturalization, such rules are recommended to the Attorney General by the Commissioner and the provisions of this section will be followed to the extent applicable where regulations dealing with civil air navigation are involved.

#### AVAILABILITY OF OPINIONS, ORDERS, AND RECORDS

§ 1.80 *Opinions, orders, and records of the Immigration and Naturalization Service regarded as confidential.* Under existing regulation (Order No. 3229 issued

by the Attorney General on May 2, 1939 (11 F. R. 4920)) issued pursuant to statute, all official files, documents, records, and information in the offices of the Immigration and Naturalization Service of the United States Department of Justice or in the custody or control of any officer or employee of the Immigration and Naturalization Service are to be regarded as confidential. No such officer or employee may permit the disclosure or use of the same for any purpose other than for the performance of his official duties, except in the discretion of the Attorney General. The Assistant to the Attorney General, an Assistant Attorney General acting for him, or the Commissioner of Immigration and Naturalization acting for the Attorney General pursuant to the provisions of § 90.1 of this chapter. Therefore, such official files, documents, records, and information shall not be published, opened to public inspection, or made available to the public in any other way, except where the Attorney General, The Assistant to the Attorney General, or the Commissioner permits disclosure, either by the exercise of discretion in particular cases or, generally, through specific provisions of this section part, or chapter.

§ 1.81 *Administrative decisions under immigration and nationality laws.* There may be purchased when available from the United States Government Printing Office, Washington 25, D. C., or inspected at a Service office indicated in § 1.60, a publication entitled "Administrative Decisions under Immigration and Nationality Laws." Periodic and cumulative supplements are to be published as required. The decisions in such publication may be cited as precedents, but are in no manner binding upon subsequent administrative decisions.

§ 1.82 *Inspection of records by attorneys.* Attorneys and representatives, and the persons whom they represent, may review and be lent copies of records, subject to the conditions prescribed in this chapter (see Part 95, more particularly § 95.6 (b)).

§ 1.83 *Persons subject to proceedings.* Any person who is the subject of a proceeding under the immigration and nationality laws in which final determination is duly made by or for the Attorney General or the Commissioner shall, after notification of final decision and on his request, be afforded an opportunity to review any opinion prepared as a basis for the decision. The right provided in this section shall extend to any attorney or representative who is recognized by the Service as counsel for the person in the proceeding.

§ 1.84 *Copies of records.* In accordance with the provisions of this part, Part 383, and all other applicable provisions of this chapter and subject to all applicable statutory provisions relating to applications, fees, and other requirements, and where not prejudicial to the interests of the public or the Government, copies of and information from records of the Immigration and Naturalization Service may be furnished to persons who establish that they have a reasonable and legitimate need for them.

Such privilege is ordinarily granted with respect to records which are statistical in nature, such as records of arrival or of naturalization.

§ 1.85 *Intra-Service manuals.* The following manuals are prepared solely for the guidance of the Immigration and Naturalization Service and the contents of such manuals shall not be published, opened to public inspection, or made available to the public in any other way except in unusual cases where the Commissioner specifically authorizes the furnishing of an excerpt from such manuals: Immigration Manual, Nationality Manual, Administrative Manual, and Operations Instructions.

#### PART 60—FIELD SERVICE DISTRICTS AND OFFICERS

Sec.

- 60.1 Field districts.
- 60.2 District directors; powers and duties.
- 60.20 Bonds; violation; authority to cancel.
- 60.24 Investigation and report of naturalization illegally or fraudulently procured.
- 60.25 Criminal violations; investigation and action.
- 60.26 Authority to administer oaths and take depositions.
- 60.27 Authority of patrol inspectors, special inspectors, naturalization examiners, and other officers to act as immigrant inspectors.
- 60.28 Power of arrest without warrant, of boarding and searching, and of executing warrants.
- 60.29 Persons qualified as members of boards of special inquiry; oath.
- 60.30 Authority to accept applications; remittance of fees.

AUTHORITY: §§ 60.1 to 60.30, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 327, 54 Stat. 1150, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 727, 5 U. S. C. 1337; 8 CFR, 90.1.

§ 60.1 *Field districts.* The territory within which officials of the Immigration and Naturalization Service are located is divided into districts which are designated by numbers, have fixed headquarters, and are defined as follows:

1. *St. Albans, Vermont.* Includes the State of Vermont; that part of the State of Maine lying north and east of the counties of York, Cumberland, Androscoggin, Kennebec, Lincoln, and Knox; the counties of Grafton and Coos in the State of New Hampshire; and that part of the State of New York lying north of the counties of Oswego, Oneida, Herkimer, Fulton, Saratoga, and Washington; also jurisdiction over the United States immigration stations located in Canada at Halifax, Nova Scotia; St. John, New Brunswick; Montreal, Quebec; and Quebec, Province of Quebec.

2. *Boston, Massachusetts.* Includes that part of the State of Maine lying south and west of the counties of Oxford, Franklin, Somerset, and Waldo; that part of the State of New Hampshire lying south of the counties of Grafton and Coos; and the States of Massachusetts, Rhode Island, and Connecticut.

3. *New York, New York.* Includes that part of the State of New York lying south of the counties of Essex, Warren, Hamilton, and St. Lawrence, and east of the counties of Lewis, Oneida, Madison, Chenango, and Broome; and that part of the State of New Jersey lying north of the counties of Ocean, Burlington, and Mercer.

4. *Philadelphia, Pennsylvania.* Includes that part of the State of New Jersey lying south of the counties of Monmouth, Middlesex, Somerset, and Hunterdon; the State of

## RULES AND REGULATIONS

Delaware; the State of Pennsylvania, except the counties of McKean, Warren, Erie, Crawford, and Mercer; that part of the State of Ohio lying south of the counties of Mahoning, Stark, and Wayne, and east of the counties of Ashland, Knox, Licking, Perry, and Athens; and that part of the State of West Virginia lying north of the counties of Jackson, Roane, Clay, Braxton, Webster, and Pocahontas, and west of the counties of Pendleton and Grant.

5. *Baltimore, Maryland.* Includes the States of Maryland, Virginia, North Carolina; the District of Columbia; and that part of the State of West Virginia lying east of the counties of Tucker and Randolph.

6. *Atlanta, Georgia.* Includes the States of Georgia, Florida, South Carolina, Tennessee, Alabama, Mississippi, Louisiana, and Arkansas; also Puerto Rico and Virgin Islands of the United States.

7. *Buffalo, New York.* Includes that part of the State of New York lying west of the counties of Delaware, Otsego, and Herkimer, and south of the counties of Lewis and Jefferson; the counties of McKean, Warren, Erie, Crawford, and Mercer in the State of Pennsylvania; and that part of the State of Ohio lying north of the counties of Columbiana, Carroll, Tuscarawas, Holmes, Knox, and Morrow, and east of the counties of Crawford, Huron, and Erie; also jurisdiction over the United States immigration station located in Canada at Toronto, Ontario.

8. *Detroit, Michigan.* Includes the State of Michigan, except Isle Royale, and the States of Indiana and Kentucky; that part of the State of Ohio lying west of the counties of Lorain, Ashland, Richland, Holmes, Coshocton, Muskingum, Morgan, and Washington; and that part of the State of West Virginia lying south of the counties of Wood, Wirt, Calhoun, Gilmer, Lewis, Upshur, and Randolph.

9. *Chicago, Illinois.* Includes that part of the State of Illinois lying north of the counties of Edgar, Douglas, Platt, De Witt, Logan, Mason, Schuyler, McDonough, and Hancock; Isle Royale, Michigan; and the States of Wisconsin, Minnesota, North Dakota, and South Dakota; also jurisdiction over the United States immigration station located at Winnipeg, Manitoba, Canada.

10. *Spokane, Washington.* Includes the States of Montana and Idaho; the counties of Wallowa, Baker, Union, Grant, Umatilla, and Morrow in the State of Oregon; and that part of the State of Washington lying east of the counties of Whatcom, Skagit, Snohomish, King, Pierce, Lewis, and Skamania.

11. *Kansas City, Missouri.* Includes the States of Missouri, Iowa, Oklahoma, Kansas, Nebraska, Colorado, and Wyoming; and that part of the State of Illinois lying south of the counties of Henderson, Warren, Fulton, Tazewell, McLean, Champaign, and Vermilion.

12. *Seattle, Washington.* Includes that part of the State of Washington lying west of the counties of Okanogan, Chelan, Kittitas, Yakima, and Klickitat; the State of Oregon except the counties of Wallowa, Baker, Union, Grant, Umatilla, and Morrow; and the Territory of Alaska; also jurisdiction over the United States immigration stations located at Sydney, Vancouver, and Victoria, British Columbia, Canada.

13. *San Francisco, California.* Includes that part of the State of California lying north of the counties of San Luis Obispo, Kern, and Inyo; the State of Nevada except the county of Clark; the State of Utah; and the Territory of Hawaii.

14. *San Antonio, Texas.* Includes that part of the State of Texas lying east and south of the counties of Terrell, Pecos, Upton, Midland, Howard, Mitchell, Nolan, Fisher, Stonewall, King, Cottle, and Childress.

15. *El Paso, Texas.* Includes that part of the State of Texas lying west and north of the counties of Val Verde, Crockett, Reagan, Glasscock, Sterling, Coke, Taylor, Jones, Haskell, Knox, Foard, and Hardeman; the State

of New Mexico; and the State of Arizona except the counties of Yuma and Mojave.

16. *Los Angeles, California.* Includes that part of the State of California lying south and east of the counties of Monterey, Kings, Tulare, Fresno, and Mono; the county of Clark in the State of Nevada; and the counties of Mojave and Yuma in the State of Arizona.

§ 60.2 *District directors; powers and duties.* (a) Under the general direction of the Commissioner and subject to the provisions of this chapter, a district director shall supervise and direct, within his district, the administration and enforcement of the immigration, nationality, and all other laws administered by the Service. He shall control all officers and employees of the Service within his district and shall be responsible for all interests of the Service. His office shall be located at the headquarters of the district. A district director shall designate the officer or employee who shall act in his stead in his absence.

(b) The provisions of paragraph (a) of this section shall not apply to alien enemy internment camps which the Commissioner designates as independent camps. Such camps shall be operated by an officer in charge who shall be under the general direction of the Commissioner.

§ 60.20 *Bonds; violation; authority to cancel.* [Revoked.]

NOTE: § 60.20 was revoked, effective Sept. 1, 1947.

§ 60.24 *Investigation and report of naturalization illegally or fraudulently procured.* Whenever a district director has reason to believe that any grant of naturalization has been illegally or fraudulently procured, he shall cause an immediate investigation to be made of all the pertinent facts and circumstances regarding the procuring of such naturalization and shall report the facts in writing to the Commissioner, with recommendation as to whether suit should be instituted looking to the revocation of the order granting the certificate of naturalization or citizenship and to the cancellation of the certificate, but if the facts indicate illegal or fraudulent procurement of naturalization in violation of the penal provisions of the Nationality Act of 1940 (54 Stat. 1163; 8 U. S. C. 746), action shall be taken in accordance with § 60.25.

§ 60.25 *Criminal violations; investigation and action.* (a) Whenever a district director has reason to believe that there has been a violation punishable under any criminal provision of the immigration, nationality, or related laws administered or enforced by the Service, he shall cause an immediate investigation to be made of all the pertinent facts and circumstances. After the investigation is completed, the district director shall take or cause to be taken whatever action is required by the rest of this section.

(b) The district director shall close any case, insofar as prosecution is concerned, where investigation establishes to his satisfaction that:

- (1) No violation has occurred;
- (2) The statute of limitations has run;
- (3) In the case of a violation of section 346 (a) (18) of the Nationality Act of

1940 (54 Stat. 1165; 8 U. S. C. 746), the alien falsely represented himself to be a citizen of the United States solely for the purpose of obtaining employment which he could or would have obtained even though he had fully disclosed his foreign nationality and alien status;

(4) In the case of a violation of section 346 (a) (29) of the Nationality Act of 1940 (54 Stat. 1166; 8 U. S. C. 746), the person who duplicated the document as described in that provision or caused it to be duplicated was ignorant of the provisions of said section 346 (a) (29) and did not use the duplicated document for any unlawful purpose;

(5) In the case of a violation of section 31 (a) or (b) of the Alien Registration Act, 1940 (54 Stat. 673; 8 U. S. C. 452), there was no refusal or willful failure to apply for registration and to be fingerprinted, and the alien complies with the provisions of said section 31 on demand. This shall include the case of any alien who did not apply for registration and to be fingerprinted under the provisions of said section 31 because he had a bona fide belief that he was a citizen of the United States, because he was confined to an institution and so was unable to apply for registration and to be fingerprinted, or because he was ignorant of the requirements of the said section 31;

(6) In the case of a violation of section 35 of the Alien Registration Act, 1940 (54 Stat. 675; 8 U. S. C. 456), the alien failed to notify the Commissioner of Immigration and Naturalization of a change of address or new address because he was ignorant of the requirement of said section 35 or that the failure to comply with the provisions of said section 35 was unintentional: *Provided*, That the alien voluntarily furnishes at the time of investigation full information as to his addresses which he failed to report as required by said section 35; or

(7) The case falls within a class which the United States attorney has in writing requested the district director not to refer to him for possible prosecution.

(c) The district director shall submit to the Central Office any case in which he finds that:

(1) He is in doubt as to whether the case is within one of the classes of cases which under the provisions of paragraph (b) of this section he shall close; or that he is in doubt as to whether the case is a proper one to submit direct to the United States attorney under paragraph (d) of this section;

(2) The person under investigation or another person involved in the violation advances a claim to United States citizenship that is not frivolous, the alienage of such person or such other person is one of the facts that must be established to prove that a violation has occurred, and there is reasonable doubt as to whether such person or such other person is a citizen of the United States or an alien;

(3) The crime under investigation is such that conviction thereof would result in cancellation of the defendant's certificate of naturalization under section 338 (e) of the Nationality Act of 1940 (54 Stat. 1159; 8 U. S. C. 738); or

(4) He has reason to believe that the provisions of section 10 of the Immigration Act of 1917, as amended by section 27 of the Immigration Act of 1924 (39 Stat. 881, 43 Stat. 167; 8 U. S. C. 146), have been violated by any person or any owner, officer, or agent of a vessel or transportation line. In such a case the district director shall promptly serve notice upon such person, owner, officer, or agent that it is his intention to recommend to the Attorney General that a prosecution be brought; and such person, owner, officer, or agent shall be allowed 60 days within which to submit to the Department, through the district director or officer in charge and the Commissioner of Immigration and Naturalization, a statement of reasons why neither of the proceedings should be brought. When transmitting such statement of reasons to the Commissioner, the district director or officer in charge shall submit a full report of the case and his recommendation as to whether the proposed proceedings should be brought and if so whether in personam or in rem.

(d) The district director shall submit direct to the United States attorney having jurisdiction, without reference to the Central Office, all cases which the district director is not required to close under the provisions of paragraph (b) of this section or to submit to the Central Office under the provisions of paragraph (c) of this section. The district director shall also submit direct to such United States attorney any case which the district director is not authorized by this section to close and in which the statute of limitations is about to run or in which there is likelihood that the person believed to be guilty will flee.

(e) On receipt in the Central Office of a case submitted by a district director under the provisions of paragraph (c) (1), (2), or (3) of this section, the General Counsel shall either close the case or make a recommendation to be transmitted through the district director of the district where the case originated to the United States attorney having jurisdiction, or take whatever appropriate action may be necessary.

**§ 60.26 Authority to administer oaths and take depositions.** All patrol inspectors, immigrant inspectors, naturalization examiners, and officers of the Immigration and Naturalization Service of a higher grade are hereby authorized to administer oaths and to take depositions without charge in matters relating to the administration of the naturalization and citizenship laws.

**§ 60.27 Authority of patrol inspectors, special inspectors, naturalization examiners, and other officers to act as immigrant inspectors.** All persons serving under appointment heretofore or hereafter made as patrol inspectors, special inspectors, naturalization examiners, or other officers of the Immigration and Naturalization Service of a higher grade than patrol inspector, special inspector, or naturalization examiner are hereby designated immigrant inspectors without additional compensation. The work as immigrant inspectors shall be arranged by supervisory officers so as not to inter-

fere substantially with the performance of the duties of the other positions.

**§ 60.28 Power of arrest without warrant, of boarding and searching, and of executing warrants — (a) Definitions.**

(1) The term "the act" as used in this section shall, unless otherwise indicated, mean the act of February 27, 1925, as amended by the act of August 7, 1946 (43 Stat. 1049, 60 Stat. 865; 8 U. S. C. and Sup. 110).

(2) The term in the act "officer of the Immigration and Naturalization Service having authority to examine aliens as to their right to enter or remain in the United States" shall mean an immigrant inspector or any person designated an immigrant inspector by § 60.27.

(3) The phrase in the act "within a reasonable distance from any external boundary of the United States" shall mean within a distance not exceeding 100 air miles from any external boundary of the United States, or any shorter distance which may be fixed by the district director in charge of a district defined in § 60.1, or, so far as the power to board and search aircraft is concerned, any distance within any of the areas designated in paragraph (d) of this section.

(b) *Authorized employees.* All patrol inspectors, immigrant inspectors, and all persons designated immigrant inspectors by § 60.27 are authorized to exercise the power of arrest without warrant, the power to board and search vessels and other conveyances, and the power to execute warrants and other processes conferred by the act.

(c) *Reasonable distance; fixing by district directors.* In fixing reasonable distances of less than 100 air miles pursuant to paragraph (a) (3) of this section, district directors shall take into consideration topography, confluence of arteries of transportation leading from external boundaries of the United States, relative distance from such boundaries, density of population, possible inconvenience to the traveling public, types of conveyances used, and reliable information as to movements of persons effecting illegal entry into the United States: *Provided*, That whenever in the opinion of a district director a distance in his district of more than 100 air miles from any external boundary of the United States would because of unusual circumstances be reasonable, such district director shall forward a complete report with respect to the matter to the Commissioner of Immigration and Naturalization, who may, if he determines that such action is justified, declare such distance to be reasonable.

(d) *Powers; where exercised.* The powers conferred by the act may be exercised in the forty-eight States of the United States, the District of Columbia, Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

(e) *Examining officer.* Although any officer authorized by paragraph (b) of this section to make arrests is qualified under paragraph (a) (2) of this section to conduct the examination required under clause (1) of the act, such examination shall be conducted by the arresting officer only in cases in which no other qualified officer is readily available and

the taking of the alien before another officer would entail unnecessary delay and then only when the conducting of such examination is a part of the duties assigned to the arresting officer.

(f) *Disposition of cases of deportable aliens.* Whenever the examination which is required under clause (1) of the act in the case of an alien illegally entering or in the United States indicates that further action should be brought against the arrested alien, the examining officer shall proceed in accordance with the provisions of Part 150 of this chapter or shall take whatever other action may be appropriate or required under the laws or other regulations applicable to the particular case. In so doing, the examining officer may utilize any record made by the arresting officer.

(g) *Disposition of felony cases.* The cases of persons arrested under clause (3) of the act for felonies shall be handled administratively in accordance with the applicable provisions of § 60.25, but in no case shall there be prejudiced the right of the person arrested to be taken without unnecessary delay before the nearest available commissioner or before another nearby officer empowered to commit persons charged with offenses against the laws of the United States.

(h) *Powers not exclusive.* The powers conferred by the act upon the employees qualified thereunder are in addition to the powers conferred on immigrant inspectors by that provision of section 16 of the Immigration Act of 1917 (39 Stat. 885; 8 U. S. C. 152) which reads "Immigrant inspectors are hereby authorized and empowered to board and search for aliens any vessel, railway car, or any other conveyance, or vehicle in which they believe aliens are being brought into the United States" and in addition to any powers which are or may be conferred on officers or employees of the Immigration and Naturalization Service by other laws.

**§ 60.29 Persons qualified as members of boards of special inquiry; oath.** In accordance with the provisions of section 17 of the Immigration Act of 1917 (39 Stat. 887; 8 U. S. C. 153), the following persons are hereby designated as qualified and determined to be eligible to serve on boards of special inquiry:

(a) Immigrant inspectors, including persons designated immigrant inspectors by § 60.27;

(b) All other employees of the Immigration and Naturalization Service whose supervisory officers assign to them the duty of acting as secretaries of such boards for the purpose of keeping the complete permanent record of the proceedings and of all such testimony as may be produced; and

(c) Persons, other than employees of the Immigration and Naturalization Service but preferably Government employees, who are selected by an Immigration and Naturalization Service official in charge of a port where no permanent board of special inquiry is maintained and to which it is impracticable to detail a board from some other station. Such persons shall, before serving on a board of special inquiry, subscribe to an oath

of office on Form I-266 before an immigrant inspector.

**§ 60.30 Authority to accept applications; remittance of fees**—(a) *Applications.* Unless otherwise specifically provided in other sections of this chapter, the various applications prescribed in this chapter, including any required fees and prescribed supporting evidence, shall upon execution be submitted by the applicant by mail or in person or by agent to the appropriate Immigration and Naturalization Service field office. When furnishing application forms to prospective applicants, either directly or through the offices of clerks of courts having naturalization jurisdiction, officers of the Immigration and Naturalization Service shall place on such forms the address of the Immigration and Naturalization Service field office to which the completed application should be submitted. If an application form does not indicate the address to which it should be submitted after execution, the applicant may obtain such information from any immigration and naturalization office or he may submit the application to the nearest immigration and naturalization office.

(b) *Remittance of fees*—(1) *Form.* Any fees required to be submitted with, or on account of, any of the various applications prescribed in this chapter shall be in the amount provided by the applicable statute and regulation. All remittances shall be accepted subject to collection, and no receipt issued by an officer of the Immigration and Naturalization Service for any such remittance shall be binding if the instrument of remittance is found uncollectible. Such fees shall not be accepted in the form of currency, coins, or postage stamps.

(2) *Payee.* Such remittances should be drawn in favor of the "Commissioner of Immigration and Naturalization," except that in the cases of applicants residing in the Virgin Islands of the United States, the remittances should be drawn in favor of the "Commissioner of Finance of the Virgin Islands." The address of the payee shall not be included in that part of the form of remittance intended solely for the designation of the payee. Where it is necessary to indicate on a form of remittance the place at which the remittance is collectible or payable, there shall be used the name of the city or town and the state in which is located the immigration and naturalization office to which the application is to be sent.

#### PART 90—DEPARTMENTAL ORGANIZATION AND AUTHORITY

Sec. 90.1 Commissioner of Immigration and Naturalization and other selected officers; powers.

90.2 Board of Immigration Appeals.

90.3 Cases appealable to the Board of Immigration Appeals; powers of Board; finality of Board decisions.

90.4 Board of Immigration Appeals; sessions.

90.5 Board of Immigration Appeals; oral argument; representation by Service.

90.9 Service of Commissioner's decision and order; manner of filing appeals.

Sec. 90.10 Reconsideration or reopening of case after Commissioner's order has become final; stay of deportation.

90.11 Board of Immigration Appeals; transmittal of Board decisions; reconsideration or reopening of case after Board decision.

90.12 Board of Immigration Appeals; reference of cases to the Attorney General.

90.17 General Counsel; powers and duties.

90.49 Rules and regulations; signature.

90.50 Authority of field officers.

**AUTHORITY:** §§ 90.1 to 90.50, inclusive, issued under R. S. 161, 360, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 327, 54 Stat. 1150, sec. 1, 54 Stat. 1238; 5 U. S. C. 22, 311, 8 U. S. C. 102, 222, 458, 727, 5 U. S. C. 1337.

**§ 90.1 Commissioner of Immigration and Naturalization and other selected officers; powers.** Under the general direction of the Attorney General, the Commissioner of Immigration and Naturalization (hereinafter called the Commissioner) shall supervise and direct the administration of the Immigration and Naturalization Service and, subject to the limitations of § 90.3 and other provisions of this part, shall have authority to exercise all powers of the Attorney General relating to the administration of that Service and the administration of the immigration, nationality and all other laws administered by that Service and shall designate such officers of the Service as he may select, with the approval of the Attorney General, to exercise any power or authority of the Attorney General in the administration of any designated specific provision of such laws. In any instance in which any officer so selected shall be in doubt as to the construction of the applicable law or as to the proper principle covering the exercise of discretion, he shall refer the matter to the Commissioner for his consideration.

**CROSS REFERENCE:** For a full description of the organization of the Immigration and Naturalization Service, including delegation of authority, see Part 1 of this chapter, particularly §§ 1.10-1.23 and §§ 1.40-1.49.

**§ 90.2 Board of Immigration Appeals.** There shall be in the Office of the Attorney General a Board of Immigration Appeals. It shall be under the supervision and direction of the Attorney General and shall be responsible solely to him. The Board of Immigration Appeals shall consist of a chairman and four other members and shall have attached to it such number of attorneys and other employees as the Attorney General, upon the recommendation of the Board, shall from time to time direct. In the absence of the chairman, a member designated by him shall act as chairman. The Board shall have authority, with the approval of the Attorney General, to promulgate rules of practice governing the proceedings before it, including rules as to the admission and conduct of attorneys practicing before it, and to disbar any attorney or other person from appearing in a representative capacity before the Board or before any officers of the Immigration and Naturalization Service.

**§ 90.3 Cases appealable to the Board of Immigration Appeals; powers of**

**Board; finality of Board decisions.** (a) When the Commissioner, or officers designated by him in accordance with § 90.1, exercise the power and authority of the Attorney General delegated to them by § 90.1 or other provisions of this chapter by entering orders in proceedings under the immigration, nationality, or other laws administered by the Service, such orders shall be final except that appeals shall lie to the Board of Immigration Appeals where the orders, whatever their nature (excluding mitigation of fines or penalties), arise in:

(1) Exclusion or preexamination proceedings;

(2) Deportation proceedings, except as provided in § 90.10 (b);

(3) Proceedings involving administrative fines and penalties;

(4) Applications for admission under provisions of the 7th or 9th proviso to section 3 of the act of February 5, 1917;

(5) Petitions filed in accordance with section 9 (c) of the Immigration Act of 1924 for nonquota or preference quota status;

(6) Proceedings for revocation of non-quota or preference quota status previously granted.

(b) The Commissioner may, in any case arising under subparagraphs (1) to (6), inclusive, of paragraph (a) of this section in which no appeal has been taken in accordance with § 90.9, certify such case to the Board of Immigration Appeals for final decision.

(c) In considering and determining such appeals, the Board of Immigration Appeals shall exercise such discretion and power conferred upon the Attorney General by law as is appropriate and necessary for the disposition of the case. The decision of the Board shall be in writing and shall be final except in those cases reviewed by the Attorney General in accordance with § 90.12.

(d) Except as may be modified or overruled by the Board of Immigration Appeals or the Attorney General, decisions of the Board of Immigration Appeals shall be binding on all officers and employees of the Immigration and Naturalization Service in the administration of the immigration and nationality laws, and except as such decisions may be deemed confidential, shall serve as precedents in all proceedings involving the same issue or issues.

**§ 90.4 Board of Immigration Appeals; sessions.** The Board of Immigration Appeals will convene for the purpose of hearing oral argument at its offices in Washington, D. C., at 2 p. m. on every day except Saturdays, Sundays, and legal holidays. In computing the time within which oral argument may be fixed pursuant to §§ 90.5 and 90.9, Saturdays, Sundays, and legal holidays shall be disregarded.

**§ 90.5 Board of Immigration Appeals; oral argument; representation by Service.** Oral argument shall be heard by the Board of Immigration Appeals, upon request, in any appeal arising under § 90.3 (a). Requests for oral argument shall be directed to the Board of Immigration Appeals, Department of Justice, Washington 25, D. C. The Board shall have authority to fix any date or change the

date upon which oral argument is to be heard. The Immigration and Naturalization Service may be represented in argument before the Board of Immigration Appeals by any officer or employee designated by the Commissioner.

**§ 90.9 Service of Commissioner's decision and order; manner of filing appeals—(a) Service of Commissioner's decision and order.** In those proceedings in which an appeal may be taken to the Board of Immigration Appeals pursuant to § 90.3 (a), a copy of the Commissioner's decision and order shall be served upon the counsel or representative of the party against whom the order is effective, or, in the absence of such counsel or representative, upon the party himself, by personal service or by registered mail. If the party does not have counsel or a representative, the decision and order shall be served upon him by the appropriate field office of the Immigration and Naturalization Service; otherwise the decision and order shall be served by the Commissioner on the party's counsel or representative. The service shall be accompanied by a written notice of the party's right to appeal to the Board of Immigration Appeals.

**(b) Appeals to the Board of Immigration Appeals; how filed.** All notices of appeal shall be filed in triplicate within 15 business days after the date of notification of the Commissioner's order except that, if the party against whom the order is effective is detained in the custody of the Immigration and Naturalization Service, such appeal shall be filed within five business days after the date of notification of such order. All notices of appeal to the Board of Immigration Appeals shall be filed by the party against whom the order is effective or by his counsel or representative. Two copies of the notice of appeal shall be filed with the Commissioner of Immigration and Naturalization or with the local field office. One copy shall be filed directly with the Board of Immigration Appeals. Filing of an appeal shall operate to stay the execution of the Commissioner's order until action on the appeal has been completed. Upon the filing of a notice of appeal, the Commissioner shall promptly transmit to the Board the entire record of the proceeding, including notice of appeal.

**(c) Waiver of appeal.** If the party against whom the order is effective or his counsel or representative waives, in writing, the filing of an appeal, the order of the Commissioner may be executed without awaiting the expiration of the time stated in paragraph (b) of this section.

**§ 90.10 Reconsideration or reopening of case after Commissioner's order has become final; stay of deportation.** (a) Reconsideration or reopening of any case in which the Commissioner's order is or has become final shall be on written motion addressed to the Commissioner in triplicate and submitted to him directly or through the field office handling the case. The Commissioner may, in his discretion, grant or deny such motion. A motion to reopen shall state the new facts to be proved at the reopened hearing and shall be supported by affi-

davits or other evidentiary material. A motion to reconsider shall state the reasons for reconsideration and shall be supported by such precedent decisions as are pertinent. The Commissioner shall serve a copy of his decision and order upon the party against whom the order is effective or his counsel or representative, as provided in paragraph (a) of § 90.9. An appeal from such an order of the Commissioner shall lie to the Board of Immigration Appeals and notice of such appeal shall be filed in accordance with paragraph (b) of § 90.9.

(b) A request for a stay of deportation shall be in writing and shall state the facts upon which the request is based. No appeal shall lie from the Commissioner's order on a motion for a stay of deportation.

**§ 90.11 Board of Immigration Appeals; transmittal of Board decisions; reconsideration or reopening of case after Board decision.** (a) A copy of the decision and order of the Board of Immigration Appeals shall be transmitted by the Board to the counsel or representative of the party against whom the order is effective, or, in the absence of such counsel or representative, to the party himself.

(b) Reconsideration or reopening of any case in which an order has been entered by the Board of Immigration Appeals (except as provided in § 150.11b of this chapter), whether requested by the Commissioner or by the party against whom the order is effective or his counsel or representative, shall be only upon written motion. The Board may, in its discretion, grant or deny such motion, and pending its consideration of the motion may stay deportation. A motion to reopen shall state the new facts to be proved at the reopened hearing and shall be supported by affidavits or other evidentiary material. A motion to reconsider shall state the reasons for reconsideration and shall be supported by such precedent decisions as are pertinent. Motions shall be filed in triplicate with the Board of Immigration Appeals. If oral argument upon a motion is desired, it shall be so stated. The Board of Immigration Appeals, in its discretion, may grant or deny oral argument. If the party against whom the order is effective is the moving party, the Board of Immigration Appeals may transmit one copy of the motion to the Commissioner, who shall be given a reasonable time, not exceeding 10 days or any extension thereof, within which to be heard, if oral argument is granted, or to file such briefs or memoranda as he deems appropriate. If the Commissioner is the moving party, he shall serve a copy of his motion upon the counsel or representative of the party against whom the order is effective, or, in the absence of such counsel or representative, upon the party himself, and shall make proof of service thereof. The party shall be given a reasonable time, not exceeding 10 days from the date of service of the Commissioner's motion or any extension thereof, within which to be heard, if oral argument is granted, or to file such briefs or memoranda as he deems appropriate.

**§ 90.12 Board of Immigration Appeals; reference of cases to the Attorney**

**General.** The Board of Immigration Appeals shall refer to the Attorney General for review of the Board's decision all cases which:

(a) The Attorney General directs the Board to refer to him.

(b) The chairman or a majority of the Board believes should be referred to the Attorney General for review of its decision.

(c) The Commissioner requests be referred to the Attorney General by the Board and its agrees.

In any case in which the Attorney General shall review the decision of the Board, his decision shall be stated in writing and shall be transmitted to the party against whom the order is effective or to his counsel or representative, as provided in § 90.11 (a).

**§ 90.17 General Counsel; powers and duties.** The General Counsel of the Service, under the direction and supervision of the Commissioner, shall have authority after proceedings in accordance with law and regulations to exercise the powers of the Attorney General or of the Commissioner in the classes of cases prescribed in this section and otherwise to perform the duties herein set forth:

(a) To represent the Service before the Board of Immigration Appeals, before boards of special inquiry, or before presiding inspectors in important exclusion and deportation cases;

(b) To examine all decisions of the Board of Immigration Appeals which reverse a presiding inspector or a board of special inquiry, and to advise the Attorney General on cases certified by the Board of Immigration Appeals to him for decision;

(c) To render such assistance, including preparation of legal memoranda and briefs or presentation of arguments, as may be necessary in behalf of the Service to the Attorney General or other officers of the Department or to United States Attorneys in judicial litigation involving proceedings brought to test the legality of warrants of deportation, exclusion decisions, actions involving steamship fines, matters relating to appeals in naturalization cases, the cancellation of naturalization, the review of actions involving prosecutions for violations of the Alien Registration Act, 1940, or other matters related to the Service;

(d) To examine as to legal form and execution bonds and appurtenant documents required with respect to aliens in connection with the administration of the immigration laws, to approve and accept such bonds and documents on behalf of the Government, and if such bonds have been declared breached, to handle any matters relating to their disposition through compromise or judicial enforcement, except that this paragraph shall not authorize the examination, approval, and acceptance of bonds and appurtenant documents in cases where field officers have such authority;

(e) To consider whether steps should be taken looking toward the cancellation of naturalization and to prepare necessary memoranda in those cases where cancellation proceedings are determined upon for submission to the Criminal Division of the Department, with recom-

## RULES AND REGULATIONS

mendation that the appropriate United States attorney be authorized and directed to institute judicial proceedings in the appropriate court;

(f) To give assistance in the drafting of legislations, Presidential proclamations, Executive orders, and regulations in conjunction with branches of the Service charged with the function of preparing, enforcing, or applying such regulations, when requested;

(g) To render opinions and rulings as requested in the course of his duties to officials of the Service on legal questions arising in the exercise of their functions concerning the Service;

(h) To make recommendations to the Pardon Attorney when a question respecting pardons arises and a recommendation by the Service is desired;

(i) To make recommendations concerning the institution of prosecutions or disposition of criminal cases arising under the immigration or nationality laws; and

(j) To exercise such discretion as is appropriate to, and to prepare and sign all orders and correspondence incident to, the execution of the functions of his office.

In addition to the foregoing authority, the General Counsel shall perform such other duties compatible with his office as may be from time to time required.

**§ 90.49 Rules and regulations; signature.** All rules and regulations, general orders, circular instructions, and Central Office memoranda hereafter issued shall be signed or countersigned by the Commissioner; and all such documents which are to be published in the **FEDERAL REGISTER** shall, in addition, be signed by the Attorney General.

**§ 90.50 Authority of field officers.** Nothing in this part shall affect the authority of field officers of the Immigration and Naturalization Service under regulations, orders, or instructions now in force.

**PART 95—ENROLLMENT AND DISBARMENT OF ATTORNEYS AND REPRESENTATIVES**

**Sec.**

- 95.1 Definitions.
- 95.2 Admission to practice required.
- 95.3 Qualifications for admission to practice.
- 95.4 Applications for admission to practice; decision.
- 95.5 Roster of attorneys.
- 95.6 Appearances; use of record.
- 95.7 Suspension and disbarment.
- 95.8 Procedure for suspension or disbarment; effect.
- 95.9 Effective date.
- 95.10 Admission of persons other than attorneys and representatives.

**AUTHORITY:** §§ 95.1 to 95.10, inclusive, issued under R. S. 161, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 5 U. S. C. 22, 8 U. S. C. 102, 222, 458, 5 U. S. C. 1337; 8 CFR, 90.1, 90.2.

**§ 95.1 Definitions.** As used in this part:

(a) The term "Attorney General" means the Attorney General of the United States.

(b) The term "Service" means the Immigration and Naturalization Service.

(c) The term "Commissioner" means the Commissioner of Immigration and Naturalization.

(d) The term "district director" means a district director of Immigration and Naturalization.

(e) The term "officer in charge" means an officer of the Immigration and Naturalization Service who has over-all supervision over a field office which is subordinate to the office of the district director.

(f) The term "Board" means the Board of Immigration Appeals.

(g) The term "attorney" means a person licensed to practice law in the Federal, State (including the District of Columbia), territorial, or insular courts.

(h) The term "representative" means a person representing a reputable religious, charitable, social service, or similar organization established in the United States and recognized as such by the Board.

(i) The term "case" means any proceeding arising under the laws and regulations administered by the Service.

(j) The term "practice" means the act of an attorney or representative in appearing in any case, either in person or through the filing of a brief or other document, on behalf of a client before any officer of the Service or the Board.

**§ 95.2 Admission to practice required.** (a) No person shall be permitted to practice before the Service or the Board until he has been admitted to practice in accordance with § 95.4.

(b) Notwithstanding paragraph (a) of this section:

(1) A district director, an officer in charge, the Commissioner, any other officer of the Central Office authorized by the Commissioner to do so, or the Board may permit an attorney or representative to file an appearance in behalf of a party in any case prior to the approval of his application for admission if such attorney or representative files the application concurrently with filing his appearance in the case. If the application is subsequently denied, such attorney or representative shall not thereafter be permitted to practice, in that or any other case, unless and until his admission to practice has been authorized by the Board and subject to such conditions as the Board shall direct.

(2) An attorney or representative who files or has filed an appearance in any case prior to the effective date of this part and on that date continues so to serve may be permitted to conclude such services subject, however, to the prohibitions stated in §§ 95.4 (d) and 95.8 (d).

(3) A party to a case may be represented by any reputable individual of good moral character, whether or not admitted to practice in accordance with § 95.4, if such individual is appearing without monetary or other material remuneration and files a written declaration to that effect, and if such representation is permitted by the officer in charge of the office having the case under consideration, the Commissioner, or the Board.

(4) Any alien may be represented by an accredited official in the United States of the government to which the alien owes allegiance, if such official appears

solely in his official capacity, and with the consent of the alien.

(5) An attorney, other than described in § 95.1 (g), residing outside the United States and licensed to practice law and in good standing in a court or courts of the country in which he resides and who is engaged in such practice may be permitted by any district director or officer in charge of a field office, the Commissioner, or any officer of the Central Office designated by him, or the Board, to file his appearance and be heard in any individual case. The district director shall have authority to withhold granting permission to such attorney to appear before an officer under his jurisdiction pending decision thereon by the Board.

(6) No person who is a party to a case shall be denied the privilege of presenting oral argument in his own behalf before an officer of the Service or the Board having his case under consideration.

(7) Any person desiring to be heard as *amicus curiae* shall apply therefor to the Board; and the Board may grant such application if it deems it to be in the public interest.

(c) No person previously in the employ of the Service or the Board may be permitted to practice in a case in which he participated during the period of such employment.

**§ 95.3 Qualifications for admission to practice.** (a) Admission to practice shall be limited to persons who are citizens of the United States, who are of good moral character, and who are attorneys in good standing in the court or courts in which they are licensed to practice, or who are representatives of organizations of the character described in § 95.1 (h).

(b) No person within any category set forth in § 95.7 may be admitted to practice.

**§ 95.4 Applications for admission to practice; decision.** (a) Applications for admission to practice may be filed with a district director, the Commissioner, or the Chairman of the Board, at the option of the applicant. Such application shall be made in triplicate upon Form G-27, shall be executed under oath or affirmation, shall be responsive to the questions therein, and shall reveal such information as may be considered necessary to make a decision upon the application. An application by an attorney shall be supported by a current certificate from a judge or clerk of the court in which the applicant is licensed to practice, or by a written statement of the officer in charge of the local office of the Service certifying that upon inquiry he has ascertained and has personal knowledge that the applicant is so licensed. An application by the representative of an organization shall be supported by a statement of the appropriate officer or officers thereof, certifying that the applicant is its accredited representative and authorized to appear in its behalf in any case.

(b) The original application shall be permanently retained in the files of the Board, the duplicate in the files of the Commissioner, and the triplicate in the files of the district director having jurisdiction over the applicant's place of residence.

(c) As soon as practicable after receipt of the application the Board shall give consideration thereto. If the application is approved, written notation to that effect shall be made on the application and a certificate of admission to practice shall be issued to the licensee. If the conclusion is that the application should be denied, the Board shall prepare a proposed order of denial, in which shall be stated the reasons for denying the application. The Board shall serve the proposed order on the applicant, either personally or by registered mail and obtain a return receipt therefor. The applicant shall be allowed a reasonable time, not less than ten days, in which to file exceptions to the proposed order and to submit a brief if desired. After receipt of the exceptions, or if none are received within three days after expiration of the period specified for filing of exceptions, the Board shall make such order as it may then determine appropriate. If the order be to deny the application, or if any one of the circumstances described in § 90.12 of this chapter be present, the Board shall refer the record to the Attorney General for review of its decision. The order of the Attorney General shall be the final determination of the application.

(d) Admission of a representative shall terminate upon discontinuance of his authority to represent the organization named in his application.

**§ 95.5 Roster of attorneys.** The Board shall maintain an alphabetical roster of attorneys and of representatives of organizations. A copy of the roster shall be supplied to the Commissioner, and he shall be advised from time to time of changes therein.

**§ 95.6 Appearances; use of record.** (a) An appearance shall be filed in writing on Form G-28 by attorneys or representatives appearing in each individual case. When an appropriate appearance has been filed in a case, substitution of attorneys or representatives may be permitted upon the written withdrawal of the attorneys or representatives of record or upon notice by the party to the case of his designation of new attorneys or representatives. If any attorney or representative of record authorizes another attorney or representative to act for him as an associate in a case, the latter will be heard if satisfactory evidence of his authorization is presented and if he has been admitted to practice under the regulations in this part.

(b) During the time a case is pending the attorney or representative of record, or his associate, shall be permitted to review the record and, upon request, be lent a copy of the testimony adduced and in expulsion proceedings the memorandum, if any, prepared by the presiding inspector setting forth a summary of the evidence and his proposed findings of fact, conclusions of law, and order. The attorney or representative shall give his receipt for such copy and pledge that no copy thereof will be made, that he will retain it in his possession and under his control, and that it will be surrendered upon final disposition of the case.

**CROSS REFERENCES:** For attorneys and other persons representing applicants for certain

categories of derivative citizenship, see § 379.3 of this chapter; for registry, see § 362.3.

**§ 95.7 Suspension and disbarment.** With the approval of the Attorney General, the Board may suspend or bar from further practice an attorney or representative, if it shall find that suspension or disbarment is in the public interest. The suspension or disbarment of an attorney or representative who is within one or more of the following categories shall be deemed to be in the public interest, for the purpose of the regulations in this part:

(a) Who charges or receives, either directly or indirectly, any fee or compensation for services which may be deemed to be grossly excessive in relation to the services performed by him in the case;

(b) Who, with intent to defraud or deceive, bribes, attempts to bribe, coerces, or attempts to coerce, by any means whatsoever, any person, including a party to a case, or an officer or employee of the Service or Board, to commit an act or to refrain from performing an act in connection with any case;

(c) Who wilfully misleads, misinforms, or deceives an officer or employee of the Service, the Board, or the Attorney General concerning any material and relevant fact in connection with a case;

(d) Who wilfully deceives, misleads, or threatens any party to a case concerning any matter relating to the case;

(e) Who solicits practice by means of runners or other unethical methods;

(f) Who represents, as an associate, an attorney who, known to him, solicits practice by means of runners or other unethical methods;

(g) Who has been temporarily suspended, and such suspension is still in effect, or permanently disbarred from practice in any court, Federal, State (including the District of Columbia), territorial, or insular;

(h) Who is temporarily suspended, and such suspension is still in effect, or permanently disbarred from practice in a representative capacity before any executive department, board, commission, or other governmental unit, Federal, State (including the District of Columbia), territorial, or insular;

(i) Who, by use of his name, personal appearance, or any device, aids and abets an attorney to practice during the period of his suspension or disbarment, such suspension or disbarment being known to him;

(j) Who wilfully made false and material statements in his application for admission to practice, or in his appearance in any case;

(k) Who engages in contumelious or otherwise unprofessional conduct with respect to a case in which such attorney acts in a representative capacity which would constitute cause for suspension or disbarment were the case pending before a court;

(l) Who, having been furnished with a copy or copies of any portion of the record in any case, wilfully fails to surrender such copy or copies upon final disposition of the case, or wilfully and without authorization makes and retains

a copy or copies of the material furnished;

(m) Who has been convicted of a felony, or, having been convicted of any crime, is sentenced to imprisonment for a term of one year or more;

(n) Who no longer possesses the qualifications required by § 95.3 for admission to practice;

(o) Who is the representative of an organization which is no longer recognized by the Board as being of the character described in § 95.1 (h); or

(p) Who wilfully violates any of the provisions contained in this part.

**§ 95.8 Procedure for suspension or disbarment; effect.** (a) The Commissioner may cause to be investigated any complaint or circumstance which establishes a *prima facie* case for the suspension or disbarment of any enrolled attorney or representative. If such investigation establishes to the satisfaction of the Commissioner that suspension or disbarment proceedings should be instituted, he shall cause written charges to be preferred. A copy of such charges shall be served upon the respondent, either personally or by registered mail, with notice to show cause within a specified time, not less than 30 days, why he should not be suspended or disbarred from further practice. Such notice shall also advise the respondent that after answer has been made and the matter is at issue, if he so requests he will be given opportunity for a hearing. If hearing is requested, the Commissioner will specify the time and place therefor and specially designate the officer who shall preside and the officer who shall present the evidence in support of the charges. The nonreceipt of answer within three days after expiration of the period prescribed to show cause shall be held a waiver of defense to the charges. When the record is complete, the Commissioner shall forward it to the Board with his recommendation.

(b) The respondent, either with or without counsel, and the Commissioner, or any officer designated by him for the purpose, shall have the privilege of appearing before the Board for oral argument at a time specified by the Board.

(c) The Board shall consider the record as presented by the Commissioner as soon as practicable after its receipt and render its decision thereon. The order of the Board shall constitute the final disposition of the proceeding: *Provided, however*, That if the order would suspend or disbar the respondent, or if any one of the circumstances described in § 90.12 of this chapter be present, the Board shall refer the record to the Attorney General for review of its decision and in such case the order of the Attorney General shall be the final determination of the proceeding.

(d) In case the final order against the respondent is for suspension or disbarment, the attorney or representative shall not thereafter be permitted to practice unless and until authorized so to do by the Board; and if disbarred, he shall surrender certificate of his admission to the Board for cancellation.

**§ 95.9 Effective date.** The regulations in this part shall take effect from and after May 1, 1944, except that applica-

## RULES AND REGULATIONS

tions for admission to practice may be filed immediately in the manner prescribed in § 95.4 (a).

**§ 95.10 Admission of persons other than attorneys and representatives.** A person who has practiced before the Board or the Service for at least five years immediately prior to May 1, 1944, and who during such period pursued such practice as his principal occupation, may, if he applies before May 1, 1945, is otherwise qualified, and satisfies the Board that he is well qualified by training and experience to represent his clients before the Board and the Service, be admitted, in the discretion of the Board, to practice under this part although he is not an attorney or representative. In any case under this section, the officer in charge, the district director, or the Commissioner may timely file objections to the admission of the applicant, which together with the reasons supporting such objections will be considered by the Board in reaching its decision. An application under this section shall be treated in the manner provided by § 95.4 (c). The Board may conduct or cause to be conducted appropriate inquiry with respect to any application under this section. A person admitted under this section shall be subject to the provisions of this part regulating the practice of attorneys and representatives.

## Subchapter B—Immigration Regulations

## PART 105—HEAD TAX

Sec.  
 105.1 Aliens subject to head tax; collection.  
 105.2 Collection of head tax after admission.  
 105.3 Aliens not subject to head tax.  
 105.4 Burden of proof in claims for exemption.  
 105.5 Seamen admitted as immigrants.  
 105.6 Liability for head tax assessed for admission of seamen as immigrants.  
 105.7 Head tax; by and to whom paid.

**AUTHORITY:** §§ 105.1 to 105.7, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 1337; 8 CFR 90.1. §§ 105.1 to 105.7, inclusive, interpret and apply secs. 2, 3, 39 Stat. 875; 8 U. S. C. 132, 136 (r).

**§ 105.1 Aliens subject to head tax; collection.** There shall be collected on behalf of every alien admitted to the United States, except those classes enumerated in § 105.3, a head tax of \$8.

**§ 105.2 Collection of head tax after admission.** The tax described in § 105.1 shall be collected also from aliens within § 105.3 (c) when their stay is extended beyond 60 days; from aliens within § 105.3 (d) when their stay is extended beyond one year; when required, from aliens within § 110.53 if the Commissioner has directed admission; and when required, from aliens whose records of entry have been authorized to be amended or endorsed to show true status. The head tax shall be collected from aliens within this section in the form of a United States postal money order, payable to the collector of customs having jurisdiction over the place where the alien entered the United States, and shall be deposited with such collector of customs. If the head tax is collected in an

immigration district other than the district where the alien entered the United States, the money order shall be forwarded by the officer in charge of the district where the head tax is collected to the officer in charge of the district where the entry of the alien occurred, where it shall be deposited with the appropriate collector of customs; in the cases of aliens within § 110.53, the money order will accompany the documents, record, and report required by that section. If the amount collected from aliens within this section is not received in sufficient time to be entered prior to the closing of the accounts at the port of entry for the month during which the alien actually entered the country, the amount shall nevertheless be deposited with the collector of customs. Collections within this section shall be reported to the Central Office only by the officer in charge of the district where the alien entered the United States. The provisions of this section are not to be regarded as applicable to the collection of the fee in the amount of \$18 required of certain aliens under the provisions of section 19 (c) of the Immigration Act of February 5, 1917, as amended (54 Stat. 672, 56 Stat. 1044; 8 U. S. C. and Sup., 155).

**§ 105.3 Aliens not subject to head tax.** The head tax shall not be levied upon the following classes of aliens:

(a) **Foreign officials.** Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests, for whatever purpose they come.

(b) **Children.** Children under 16 years of age who accompany their father or mother and whose relationship and age are established.

(c) **Transits.** Aliens in transit through the United States, as defined in § 118.1 of this chapter.

(d) **Visitors from nearby countries.** Aliens whose legal domicile or bona fide residence was in Canada, Newfoundland, Cuba, or Mexico for at least one year immediately preceding entry and who enter the United States for a temporary period in no instance exceeding one year; this exemption shall not be lost merely by reason of temporary absences of short duration from such countries.

(e) **Residents; passing through contiguous territory.** Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory.

(f) **Temporary residents; returning from contiguous territory.** Aliens temporarily admitted to the United States who, during the period of temporary admission, go to foreign contiguous territory for temporary visits.

(g) **Cruise passengers.** Aliens who, starting from a port of the United States, return thereto after a continuous sea trip or cruise without change of vessel.

(h) **Commuters.** Aliens who, without taking up residence in the United States, habitually cross and recross the land boundaries and who hold a resident alien's border crossing identification card.

(i) **Residents; returning from nearby country.** Aliens lawfully admitted and

having a bona fide residence in the United States who, without relinquishing such residence, visit Canada, Newfoundland, Cuba, or Mexico for a temporary period in no instance exceeding six months.

(j) **Citizens or residents of possessions.** Citizens and alien residents of any possession of the United States.

(k) **Nonresident occupational seamen.** A nonresident alien whose occupational status as a seaman is established, entering the United States temporarily in pursuit of that occupation, who is a bona fide alien seaman as defined in § 120.2 of this chapter, or who arrives as a passenger or workaway and is admitted solely for the purpose of reshipping foreign.

(l) **Returning resident occupational seamen.** An alien whose occupational status as a seaman is established and who arrives as a seaman or as a passenger or workaway after a temporary absence abroad solely in pursuit of his calling, if he is found upon arrival to have previously been lawfully admitted to the United States for permanent residence and to be returning to an unrelinquished domicile in the United States.

(m) **Military or naval personnel.** Members of the armed forces of the United States, or of foreign armed forces cooperating with the United States, including nurses and technicians attached to such armed forces, when entering the United States under official orders.

(n) **Students, returning from nearby countries.** Aliens admitted to the United States as bona fide students under subdivision (e) of section 4, of the Immigration Act of 1924, who, without relinquishing such status, visit Canada, Newfoundland, Cuba, or Mexico for a temporary period in no instance exceeding six months.

(o) **Imported laborers.** Aliens who are native-born residents of foreign countries within the Western Hemisphere being imported for temporary employment and who are admissible under §§ 115.2 and 132.5 of this chapter.

(p) **Foreign government representatives to international organizations.** Representatives of foreign governments in or to international organizations designated by the President by Executive order as entitled to enjoy privileges, exemptions, and immunities as international organizations under the International Organizations Immunities Act (59 Stat. 672; 22 U. S. C., Sup. 288d), or officers or employees of such international organizations, and the families, attendants, servants, and employees of such representatives, officers, or employees.

**CROSS REFERENCE:** For status of alien airmen, see § 116.53 of this chapter.

**§ 105.4 Burden of proof in claims for exemption.** The burden of proof shall be upon the alien to establish that he is within the classes exempted by law from the payment of head tax, and in all cases where such fact is not established to the satisfaction of the immigration officer the tax shall be collected and paid on account of such alien in the manner provided in § 105.7.

**§ 105.5 Seamen admitted as immigrants.** (a) A head tax of \$8 shall be paid for every alien who arrives as a seaman but is admitted as an immigrant, except a seaman admitted under section 4 (b) of the Immigration Act of 1924 who is within the exemptions specified in § 105.3 (1).

(b) Head tax shall be paid for an alien arriving as a seaman but admitted under said section 4 (b) if the alien is returning from a temporary absence abroad which was not connected with his occupation as a seaman, except that he shipped as a seaman in preference to other methods of travel, and if he would be required to pay head tax were he returning from such an absence otherwise than as a seaman.

**§ 105.6 Liability for head tax assessed for admission of seamen as immigrants.** In any case in which head tax is assessed under the regulations in this part by reason of the admission of a seaman as an immigrant, the tax shall be paid by the master, agent, owner, or consignee of the vessel or transportation line responsible under the provisions of section 2 of the Immigration Act of February 5, 1917.

**§ 105.7 Head tax; by and to whom paid.** The head tax shall be paid to the collector of customs of the port or customs district to which the alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States, or by the alien himself if he does not come by a vessel, transportation line, or other conveyance or vehicle or when collection from the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance, or vehicle bringing such alien into the United States is impracticable.

#### PART 107—MANIFESTS

Sec.

- 107.1 Classification of passengers.
- 107.2 Vessels touching at more than one port.
- 107.3 Landing at port other than manifested.
- 107.4 Final port; checking of aliens; abandonment of voyage.
- 107.5 Manifests; prescribed form; preparation.
- 107.6 Grouping of aliens on manifest.
- 107.7 Certain nonimmigrants; how manifested.
- 107.8 Stowaways; how manifested.
- 107.9 Form I-415; specifications.
- 107.10 Form I-416; specifications.
- 107.11 Forms required; specifications as to departing passengers; time for filing.
- 107.12 Form required by § 107.15; specification.
- 107.13 Forms, by whom supplied; penalty.
- 107.14 Information required; foreign officials.
- 107.15 Report of illness en route.
- 107.16 Date concerning cost of transportation.
- 107.17 Manifests of aliens from foreign contiguous territory.

**AUTHORITY:** §§ 107.1 to 107.17, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 1337; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 107.1 Classification of passengers.** All passengers, arriving in or departing from the United States by water, either directly or through the designated Canadian seaports, and whether aliens or citizens of the United States, shall, for the purposes of section 12 of the act of February 5, 1917 (39 Stat. 882; 8 U. S. C. 148), be classified on manifests as first cabin, second cabin, tourist third cabin, or third class, according to the class in which they travel. These manifests shall also contain the names of passengers embarking at foreign ports destined to other foreign ports on vessels touching at ports of the United States, and passengers arriving on vessels destined from a foreign port to a United States port where such vessels stop en route at intermediate ports of the United States.

§ 107.1, except that where the number of alien passengers in all classes does not exceed thirty, all classes may be shown on one Form I-415 with the names grouped according to class and the name of the class of the group noted; the same rule shall be applied to determine whether a separate Form (or Forms) I-416 shall be prepared for each class of United States citizen passengers. (Secs. 12, 13, 39 Stat. 882, 884, sec. 2 (e), 43 Stat. 154; 8 U. S. C. 148, 149, 202 (e))

**§ 107.2 Vessels touching at more than one port.** Where vessels touch at more than one United States port, passengers will be manifested for the United States port of destination or final United States port of call, and such manifests shall be presented at all intermediate ports in the United States and a notation made in the space following the last numbered column on Forms I-415 and I-416, showing the port or ports at which passengers are granted shore leave. This notation will be simply an abbreviation of the name of the port. (Sec. 12, 39 Stat. 882; 8 U. S. C. 148)

**§ 107.3 Landing at port other than manifested.** When any passenger desires regularly to land at any port in the United States other than the one to which he is manifested, his name will be stricken by the ship's officers from the manifest upon which originally recorded and transferred to the manifest intended for the port where he wishes to land. Such change on the manifest will be made only with the prior knowledge of the boarding officer and will be attested by his signature and title placed opposite each entry on the two manifests involved, e. g., opposite the deleted entries he will note: "\_\_\_\_\_, Immigrant Inspector." On the manifest to which the name is transferred he will note: "Transferred from manifest of passengers for \_\_\_\_\_, dated \_\_\_\_\_, Immigrant Inspector." (Secs. 12, 13, 39 Stat. 882, 884; 8 U. S. C. 148, 149)

**§ 107.4 Final port; checking of aliens; abandonment of voyage.** At the final port of call a check shall be made to determine the presence on board of all aliens who have been granted shore leave at intermediate ports, the manifests to be taken up at such final port of call. Forms I-428 will be furnished at the port of embarkation of alien and citizen passengers. If any such passenger abandons the voyage at an intermediate United States port, notification shall be given to port of embarkation by the steamship company. (Secs. 12, 13, 39 Stat. 882, 884; 8 U. S. C. 148, 149)

**§ 107.5 Manifests; prescribed form; preparation.** The lists or manifests with respect to arriving aliens shall be prepared on Form I-415; with respect to arriving United States citizens, on Form I-416. Such forms shall meet the speci-

**§ 107.6 Grouping of aliens on manifest.** Transportation companies shall assemble or group together, to the fullest extent possible, all aliens coming from the same locality, also all members of a family, and the names of all members of a family shall appear upon the same manifest sheet when such members travel in the same class. Where the members of a family travel in different classes, appropriate cross references to this fact should be made on the several manifest sheets on which their names are listed, so that the immigration authorities may consider their cases together. (Secs. 12, 13, 39 Stat. 882, 884; 8 U. S. C. 148, 149)

**§ 107.7 Certain nonimmigrants; how manifested.** All nonimmigrants as defined by section 3 (2), (3), and (6) of the Immigration Act of 1924 (43 Stat. 154, 47 Stat. 607; 8 U. S. C. 203) arriving by water at the ports of the United States shall be listed and classified separate and apart from immigrants generally, and grouped and assembled in the manner required by §§ 107.5 and 107.6. To each nonimmigrant or head of a family of nonimmigrants shall be given a ticket on which shall be written his name, a number or letter, followed by the letters NI, designating the list in which his name and other information are contained and his number on said list. Such list shall be plainly marked "Nonimmigrant manifest." (Secs. 12, 13, 39 Stat. 882, 884; 8 U. S. C. 148, 149)

**§ 107.8 Stowaways; how manifested.** Alien stowaways shall be manifested and produced for inspection in the same manner as are other aliens, and the fact that they were stowaways shall be indicated on the manifest. (Secs. 12, 13, 39 Stat. 882, 884; 8 U. S. C. 148, 149)

**§ 107.9 Form I-415; specifications.** Form I-415 shall be typewritten or printed in the English language on white commercial ledger paper, size 40 by 18½ inches, substance 50 pounds. All Forms I-415 shall correspond in all respects to the Form I-415 approved by the Commissioner of Immigration and Naturalization and printed by the Government Printing Office. Until any stock of old Forms I-400, I-401, I-402, and I-403, which is available at the Government Printing Office or which transportation companies have on hand, is exhausted, such old forms may be used if the text

## RULES AND REGULATIONS

and form number are altered so that they will correspond to Form I-415. (Secs. 12, 13, 39 Stat. 882, 884, sec. 2 (e), 43 Stat. 154; 8 U. S. C. 148, 149, 202 (e))

**§ 107.10 Form I-416; specifications.** Form I-416 shall be typewritten or printed in the English language on white commercial ledger paper, size 36 by 18½ inches, substance 50 pounds, in sheets 18 by 18½ inches. All Forms I-416 shall correspond in all respects to the Form I-416 approved by the Commissioner of Immigration and Naturalization and printed by the Government Printing Office. Until any stock of old Forms I-430, I-431, I-432, and I-433, which is available at the Government Printing Office or which transportation companies have on hand, is exhausted, such old forms may be used if the form numbers are changed to I-416. (Sec. 12, 39 Stat. 882; 8 U. S. C. 148)

**§ 107.11 Forms required; specifications as to departing passengers; time for filing.** (a) The list required by section 12 of the Immigration Act of 1917 (39 Stat. 882; 8 U. S. C. 148) containing information regarding alien passengers and citizens of the United States and its insular possessions departing from the United States and its insular possessions, either permanently or temporarily, shall be typewritten or printed in the English language on commercial ledger paper in sheets 21 by 16 inches (substance 32), color white, according in every respect to Form I-428 now in use and approved by the Commissioner of Immigration and Naturalization, or on such form or forms as hereafter may be prescribed. Such lists shall be deposited with the immigration officials before the departure of the vessel, except that in the case of vessels making regular trips to ports of the United States such lists may be delivered so as to reach the immigration officials at the port of departure within 30 days after departure of the vessel. Notwithstanding the exception contained in the preceding sentence, the immigration officer in charge at the port shall not grant clearance papers to the vessel until such lists are delivered if he knows or has reason to believe that the vessel will not return to a port of the United States within 30 days or that such lists will not be delivered so as to reach him within that time.

(b) The term "vessels making regular trips to ports of the United States," as used in the first proviso to section 12 of the Immigration Act of 1917 and in paragraph (a) of this section, and for the purposes of § 160.6 of this chapter, means vessels which arrive at a port or ports in the United States at intervals of 30 days or less according to a published schedule of which there is sufficient notice to all concerned.

**§ 107.12 Form required by § 107.15; specification.** The report required by § 107.15, shall be typewritten or printed in the English language on white commercial ledger paper 17 by 28 inches, basis 35½ pounds, in sheets 17 by 14 inches, and according in every respect to Form I-442 now in use and approved by the Commissioner of Immigration and Naturalization, or on such form or forms

as may hereafter be prescribed. (Sec. 13, 39 Stat. 884; 8 U. S. C. 149)

**§ 107.13 Forms; by whom supplied; penalty.** The master or commanding officer, owners, or consignees of steamers, sailing, or other vessels plying between the United States and foreign ports or between foreign ports and the designated Canadian seaports, having passengers on board, are required to furnish the information provided for by sections 12 and 13 of the Immigration Act of 1917 (39 Stat. 882, 884; 8 U. S. C. 148, 149), and shall at their own expense furnish the forms referred to in §§ 107.9-107.12, according to the specifications therein set out, and any failure, neglect, or omission to comply with the requirements of said sections shall be deemed a violation of sections 12 and 14 of the Immigration Act of 1917 (39 Stat. 882, 884; 8 U. S. C. 148, 150), and punishable as therein provided.

**§ 107.14 Information required; foreign officials.** The only statistical information required concerning foreign officials duly accredited by their governments, including diplomatic and consular officers, their suites, families, or guests, is their names and titles. (Sec. 3, 39 Stat. 875; 8 U. S. C. 136 (r))

**§ 107.15 Report of illness en route.** The ship's surgeon, or if no surgeon, the master, shall furnish to the officials in charge at the port of arrival a full and complete report of all injuries, diseases, illness, births, and deaths developing or occurring during the voyage. (Sec. 13, 39 Stat. 884; 8 U. S. C. 149)

**§ 107.16 Data concerning cost of transportation.** Transportation companies shall furnish the officers in charge at ports of entry, within two days after request therefor, with the original transportation contracts of all rejected aliens whose cases are covered by the provisions of section 9 of the Immigration Act of 1917 (43 Stat. 166; 8 U. S. C. 145), and/or section 16 of the Immigration Act of 1924 (43 Stat. 163, 58 Stat. 817; 8 U. S. C. and Sup., 216), such contracts showing the exact amounts paid for transportation from the "initial point of departure," which point shall be stated, to the foreign port of embarkation, from the latter to the United States port of arrival, and from the port of arrival to inland point of destination, respectively, and also the amount paid for head tax.

**§ 107.17 Manifests of aliens from foreign contiguous territory.** (a) Upon the inspection of aliens seeking to enter continental United States directly from Canada or Mexico, the examining immigrant inspector shall prepare a manifest on Form I-448 in cases where the preparation of such a manifest is required by the provisions of this chapter, particularly Parts 108 and 114. The Form I-448 shall be filled out from information furnished by the alien in response to questions asked by the examining immigrant inspector. Data such as the following shall be included in the Form I-448: port, date, full name, age, and sex; whether married or single; calling or occupation; personal description (including height, color of hair and eyes); nationality;

race; place of birth; country of last permanent residence; name and address of nearest relative in the country from which the alien came; final destination; whether going to join a relative or friend and, if so, name and address of such relative or friend; whether ever before in the United States and, if so, when; purpose in coming to United States and length of time intending to remain. Immigration officials shall state whether the alien is an immigrant or a nonimmigrant, the character of head-tax assessment, and, if exempt from head tax, the reason therefor, and also the action taken as a result of such inspection. The immigration official making the inspection shall sign such manifest when completed.

(b) The term "continental United States" as used in paragraph (a) of this section means the territory of the forty-eight States, the District of Columbia, and Alaska. (Sec. 12, 39 Stat. 882; sec. 3, 43 Stat. 154, 47 Stat. 607, sec. 1, 54 Stat. 711, sec. 7 (c), 59 Stat. 672, sec. 328 (a), 54 Stat. 1151; 8 U. S. C. and Sup., 148, 203, 728 (a))

#### PART 108—RECORDING OF ARRIVALS, DEPARTURES, AND REGISTRATIONS

Sec.	
108.1	Coexistent provisions.
108.2	Prescribed forms.
108.3	Nonimmigrants; Forms 257a, 257b, and 257d; action at time of entry.
108.4	Nonimmigrants; Forms 257a, 257b, and 257d; action at time of departure.
108.5	Nonimmigrants; Forms I-94 and I-448.
108.6	Immigrants; Forms 256a and I-151.
108.7	Immigrants; land border ports; Form I-448.
108.8	Immigrants; surrender of cards at time of departure.
108.9	Endorsement of passports.

**AUTHORITY:** §§ 108.1 to 108.9, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 327, 54 Stat. 1150, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 727, 5 U. S. C. 138; 8 CFR. 90.1. §§ 108.1 to 108.9, inclusive, interpret and apply sec. 2 (e), 43 Stat. 154, sec. 30, 54 Stat. 673, sec. 34, 54 Stat. 674, sec. 328 (a), 54 Stat. 1151; 8 U. S. C. 202 (e), 451, 455, 728 (a).

**§ 108.1 Coexistent provisions.** The provisions of this part are in addition to (a) the provisions of section 12 of the Immigration Act of February 5, 1917 (39 Stat. 882; 8 U. S. C. 148), and Part 107 of this chapter relative to the manifesting by transportation companies of aliens and citizens arriving or departing by vessel, and (b) the provisions of sections 7, 9, and 11 of the Air Commerce Act of 1926 (44 Stat. 572-575, 48 Stat. 1115-1116, 52 Stat. 1028-1029; 49 U. S. C. 177, 179, 181) and Part 116 of this chapter relative to the manifesting by transportation companies of aliens and citizens arriving or departing by aircraft.

**§ 108.2 Prescribed forms.** For the purpose of recording the arrival, departure, and registration of aliens, the following forms issued to aliens by American consular officers or immigration officers shall in the manner provided by this part be processed by officers and employees of the Immigration and Naturalization Service:

## (a) As to nonimmigrant aliens:

(1) Foreign Service Form No. 257a, which is the alien's evidence of registration and status.

(2) Foreign Service Form No. 257b, "Application for Nonimmigrant Visa and Alien Registration."

(3) Foreign Service Form No. 257d, "Manifest Record of Alien Admitted for Temporary Stay."

(4) Form I-94, "Record of Alien Admitted as Visitor."

## (5) Form I-448, "Manifest."

## (b) As to immigrant aliens:

(1) Foreign Service Form No. 256a, "Immigration Visa and Alien Registration."

## (2) Form I-448, "Manifest."

(3) Form I-151, "Alien Registration Receipt Card."

**CROSS REFERENCES:** For American consular procedure with respect to Foreign Service forms listed in the foregoing section and related Foreign Service forms, see 22 CFR Part 61, particularly §§ 61.112, 61.128, 61.148, 61.157, 61.166, 61.317-61.357, and 61.385-61.399.

For registration and fingerprinting of aliens by immigration officers, see 8 CFR Part 170.

**§ 108.3 Nonimmigrants; Forms 257a, 257b, and 257d; action at time of entry.** (a) At the time an alien presenting Forms 257a, 257b, and 257d applies for admission to the United States for temporary stay, the alien shall surrender such forms to an immigrant inspector and, if the alien is admitted, the admitting inspector shall add on all three such forms in the spaces indicated the data as to the period and other facts of the admission. The inspector shall deliver Form 257a at once to the alien. The Form 257b, without transmittal letter, shall be forwarded at once to the Central Office for statistical and permanent record purposes. The Form 257d shall be retained at the port of entry and in the cases of aliens admitted directly to the continental United States from Canada or Mexico shall be filed as the record of entry in lieu of Form I-448.

(b) If an alien presenting Forms 257a, 257b, and 257d is excluded from the United States, the Form 257a shall not be given to the alien. Data as to the exclusion shall be placed on the Forms 257b and 257d by the chairman of the board of special inquiry. The Form 257d shall be retained at the port as a record of the exclusion. The Forms 257a and 257b shall be sent together to the Central Office and shall accompany any record of the hearing before the board of special inquiry submitted to the Central Office in appellate or similar proceedings. Where the Forms 257a and 257b are submitted with such a record, they shall be returned to the port with the notification of the decision. Data as to the facts of the resulting final action at the port shall be placed on the Forms 257a, 257b, and 257d, and the Forms 257b and 257d shall be disposed of as prescribed in paragraph (a) of this section; the Form 257a shall also be disposed of as prescribed in paragraph (a) of this section in those cases where the alien is admitted under the decision but the Form 257a shall be sent with the Form 257b

to the Central Office in cases where the alien is not admitted.

(c) The term "continental United States" as used in this section and part means the territory of the forty-eight States, the District of Columbia, and Alaska.

**§ 108.4 Nonimmigrants; Forms 257a, 257b, and 257d; action at time of departure.** (a) At the time of the departure from the United States of an alien who was admitted on presentation of Forms 257a, 257b, and 257d, the alien shall, with the exceptions provided in paragraph (b) of this section, surrender the Form 257a to an immigration officer or other designated person, who shall endorse it to show the facts of departure, after which the Form 257a shall be sent to the port where the entry occurred, if different from the port of departure. Regardless of whether the port of entry and the port of departure are the same or different, the facts of departure shall be posted to the Form 257d from the Form 257a, after which the latter shall be forwarded to the Central Office for statistical and permanent record purposes.

(b) An alien admitted to the United States on presentation of Forms 257a, 257b, and 257d shall not be required to surrender the Form 257a at the time of his departure from the United States in the following classes of cases:

(1) The Form 257a bears a nonimmigrant visa valid for more than one journey to the United States and the alien states his intention to enter the United States again within the period of the validity of such visa. The alien shall nevertheless report his departure to an immigrant inspector in accordance with the instructions on Form 257a. If departure occurs at the same port as that at which the entry occurred, the facts of departure shall be posted to the Form 257d and reported to the Central Office by form letter; if the entry occurred at another port, the departure shall be verified by form letter to such port and the facts of departure posted to the Form 257d there, after which the letter shall be forwarded to the Central Office.

(2) An alien child or alien children, accompanying on entry, are named on the Form 257a and all aliens covered by the form do not depart simultaneously. In such cases, Form 257a shall be surrendered by the alien last departing and endorsed only as to his departure, unless retention is permitted by this section. The earlier departures of the other aliens named on the form shall be posted to the Form 257d and reported to the Central Office, in the same way as is prescribed in subparagraph (1) of this paragraph.

(3) Any alien (including a resident of Canada or Mexico) who during his temporary stay in the United States proceeds to Canada or Mexico for a visit of not more than 30 days, after which he intends to reenter the United States for the remainder of the period of his original temporary admission.

(4) Other exceptional cases where the Commissioner of Immigration and Naturalization has instructed immigration officers to waive or defer the surrender of Form 257a at the time of the holder's departure from the United States.

**§ 108.5 Nonimmigrants; Forms I-94 and I-448.** (a) Form I-94 shall be used at all ports in the following cases of temporary admission:

(1) Where the alien is required to present a passport and a nonimmigrant visa and meets such requirement by presenting a passport containing the required nonimmigrant visa but does not present Forms 257a, 257b, and 257d because he surrendered those three forms in connection with a previous temporary stay or because such forms were not in use when his nonimmigrant visa was issued.

(2) Where the alien is required to present a nonimmigrant visa and meets such requirement by presenting Form 257a bearing the nonimmigrant visa but does not present Forms 257b and 257d because he surrendered those two forms on a previous entry.

(3) When the alien is coming from some country other than Canada or Mexico, does not present a nonimmigrant visa and Forms 257a, 257b, and 257d, and is admitted temporarily under a waiver of the nonimmigrant visa requirement.

(b) At ports where aliens coming directly to the continental United States from Canada or Mexico are admitted, Form I-94 shall be used not only in cases listed in paragraph (a) of this section but also in cases of temporary admission where Forms 257a, 257b, and 257d are not presented and where:

(1) The alien is admitted for more than 29 days; or  
 (2) Head tax is collected; or  
 (3) Bond is exacted; or  
 (4) Verification of departure is desired; or

(5) The case comes within some other specific class in which immigrant inspectors are instructed to execute Form I-94; or

(6) The facts of the particular case are such that a record on Form I-94 is deemed desirable.

(c) The original Form I-94 shall be delivered to the alien at the time of admission. If the alien has previously complied with the Alien Registration Act, that fact should be noted on the Form I-94. In the cases of aliens admitted directly to the continental United States from Canada or Mexico, the duplicate Form I-94 shall be filed as a record of entry in lieu of Form I-448. The original Form I-94 shall be surrendered by the alien at the time of his departure in accordance with the directions on the form except that where the circumstances described in § 108.4 (b) (2) or (3) exist, the alien may retain the form, in which event the procedure prescribed in those two subparagraphs shall be followed. Surrendered Forms I-94 shall be returned to the port of entry, if different from the port of departure. If a departing alien also has a Form 257a because he is within paragraph (a) (2) of this section, he shall surrender it simultaneously unless retention is permitted by this part. Where a departing alien surrenders both a Form I-94 and a Form 257a, the latter form shall be attached to the Form I-94. A triplicate copy of Form I-94 shall be made on plain or printed paper and forwarded to the Central Office in the following classes of cases:

## RULES AND REGULATIONS

(1) Where the form is issued to an alien whose journey to the United States originates in countries other than Canada or Mexico; and

(2) Where the form is issued to an alien admitted to the United States for more than 29 days.

Such furnishing to the Central Office of a triplicate copy of Form I-94 shall be noted by the issuing officer on the duplicate copy, and when satisfactory evidence of departure—normally the original Form I-94—is received at the port of entry, the facts of departure shall be posted to the duplicate copy of Form I-94 and such evidence of departure forwarded to the Central Office.

(d) At ports where aliens coming directly to the continental United States from Canada or Mexico are admitted, Form I-448 shall be prepared in the case of every alien who is an applicant for temporary admission, who does not present Form 257a, and who is held for hearing before a board of special inquiry. Such Form I-448 shall be filed at the port regardless of the disposition of the case.

**§ 108.6 Immigrants; Forms 256a and I-151.** (a) At the time an alien presenting Form 256a applies for admission to the United States for permanent residence, the alien shall surrender such form to an immigrant inspector and, if the alien is admitted, the admitting immigrant inspector shall add on such form in the space indicated the data as to the admission. If the admission occurs at a port where aliens are admitted directly to the continental United States from Canada or Mexico, a record shall be made at once on Form I-448. In all cases the Form 256a, without transmittal letter, shall be forwarded at once to the Central Office, where it shall be kept as a permanent record of the entry. On receipt in the Central Office of the Form 256a, it shall be assigned an alien number and there shall be prepared in the Central Office on Form I-151 an alien registration receipt card bearing the alien's photograph and a statement of such facts of admission, registration, and personal description as are provided for on the Form I-151. The photograph in the sealed envelope attached to and accompanying the Form 256a shall be used on the Form I-151. Thereafter, the Form I-151 shall be mailed directly from the Central Office to the alien.

(b) If an alien presenting Form 256a is excluded from the United States, data as to the exclusion shall be placed on that form by the chairman of the board of special inquiry and forwarded to the Central Office. The form shall accompany any record of the hearing before a board of special inquiry submitted to the Central Office in appellate or similar proceedings. Where the Form 256a is submitted with such a record, it shall be returned to the port with the notification of the decision, and data as to the facts of the resulting final action at the port shall be placed on the Form 256a, after which it shall be returned to the Central Office.

**CROSS REFERENCE:** For handling of immigration visas not surrendered at time of entry, see §§ 110.18 and 110.53 of this chapter.

**§ 108.7 Immigrants; land border ports; Form I-448.** At ports where aliens coming directly to the continental United States from Canada or Mexico are admitted, in cases where Form 256a is not presented, a record shall be made on Form I-448 where:

- (a) The alien is held for hearing before a board of special inquiry; or
- (b) Bond is exacted; or
- (c) Head tax is collected; or
- (d) There is no existing record of admission for permanent residence; or
- (e) The alien is admitted on surrender of a permit to reenter the United States; or
- (f) The case comes within some other specific class in which immigrant inspectors are instructed to execute Form I-448; or
- (g) The facts of the particular case are such that a record on Form I-448 is deemed desirable.

**§ 108.8 Immigrants; surrender of cards at time of departure.** When an alien in possession of Form I-151 or any other form of alien registration receipt card, or in possession of an immigrant identification card, certificate of registry, or certificate of lawful entry—issued to him—departs permanently from the United States, he shall surrender such cards and certificates to an immigration officer at the time of departure and the cards and certificates shall be forwarded to the Central Office with Form I-407, processed in accordance with instructions issued by the Commissioner of Immigration and Naturalization. When the holder of a resident alien's border crossing identification card—issued to him—departs permanently from the United States, he shall at the time of departure surrender such card to an immigration officer for cancellation and return to the office of issuance in accordance with the provisions of § 166.6 of this chapter.

**§ 108.9 Endorsement of passports.** (a) When an alien admitted temporarily to the United States is issued a Form 257a or Form I-94 or when an alien is admitted permanently on presentation of a Form 256a or a permit to reenter the United States, the admitting immigrant inspector shall stamp any passport presented by the alien (as the term "passport" is defined in § 176.101 (e) of this chapter) to show the word "Admitted" and the date and place of admission: *Provided*, That the provisions of Part 128 of this chapter shall be followed as to the endorsement of passports presented by aliens admitted as students under the provisions of subsection (e) of section 4 of the Immigration Act of 1924 (43 Stat. 155; 8 U. S. C. 204 (e)).

(b) If an alien admitted temporarily to the United States is granted an extension of the period of his original admission, no notation to that effect shall be placed in any passport he possesses but he shall be advised in the notice of such extension that he should keep such notice with his passport.

**PART 110—PRIMARY INSPECTION AND DETENTION**

Sec.	
110.1	Designated ports of entry except by aircraft.
110.2	Immigration stations in Canada.
110.3	Airports of entry.
110.3a	Location of boards of special inquiry.
110.4	Admissibility; prompt determination.
110.5	Admissibility of steerage passengers; determination.
110.6	Aliens coming for employment while residing in contiguous territory; classification.
110.7	Inspection postponed; disability of alien.
110.8	Inspection postponed; members of family.
110.9	Inspection postponed; accompanying alien.
110.10	Inspection not postponed.
110.11	Reporting condition of vessels.
110.13	Immigrants having expired documents.
110.18	Visas and reentry permits; surrender subsequent to entry.
110.20	Immigrant aliens liable to be excluded as public charges; admission under bond.
110.21	Form of public charge bonds; action where no longer required.
110.27	Definitions of "status" in relation to nonimmigrants and students.
110.28	Officials, visitors, traders; determination of admissibility.
110.29	Officials, visitors, traders; period and conditions of admission.
110.31	Officials, traders, visitors; change of status, conditions.
110.33	Nonimmigrant bonds; approval and cancellation.
110.34	Traders not contract laborers.
110.35	Entry of aliens who were born in the barred zone but who are not barred by section 13 (c) of the Immigration Act of 1924, as amended.
110.36	Nonquota status; by relationship to citizen or by former citizenship.
110.37	Nonquota status on basis of former residence.
110.38	Lawful admission; when presumed.
110.39	Nonquota status; by country of birth or by relationship to certain non-quota immigrants.
110.40	Nonquota status; ministers and professors; students.
110.41	Nonquota status; failure to prove on primary inspection.
110.42	Financial status.
110.43	Reading test; aliens subject thereto.
110.44	Reading test; general method of application.
110.45	Reading test; exceptional method of application.
110.46	Reading test; failure to read; procedure.
110.47	Exemptions from reading test.
110.48	Unaccompanied children; admission.
110.49	Unaccompanied children; exceptional cases.
110.50	Stowaways.
110.51	Aliens previously rejected; exclusion; permission to reapply.
110.52	Aliens previously arrested and deported; exclusion; permission to reapply.
110.53	Immigrants, possessing proper documents, but who entered without examination; procedure.

**AUTHORITY:** §§ 110.1 to 110.53, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 110.1 Designated ports of entry except by aircraft.** Subject to the limi-

tations prescribed in this section, the following places are hereby designated as ports of entry for aliens arriving by any means of travel other than aircraft. Such ports are listed according to location by districts, which are defined in § 60.1 of this chapter. The designations of such ports are divided into three classes—Class A, Class B, and Class C. Class A means that the port is a designated port of entry for all aliens. Class B means that the port is a designated port of entry only for aliens who at the time of applying for admission are lawfully in possession of valid and unexpired resident aliens' border crossing identification cards or valid nonresident aliens' border crossing identification cards. Class C means that the port is a designated port of entry only for aliens who are arriving in the United States as seamen as that term is defined in the last sentence of section 1 of the Immigration Act of 1917 (39 Stat. 874; 8 U. S. C. 173). No alien may enter the United States at a designated port of entry until and unless he has been inspected by an immigration officer or officers and found to be entitled under the provisions of the immigration laws and regulations to enter the United States. (Sec. 19 (a), 39 Stat. 889, 54 Stat. 671; 8 U. S. C. 155 (a))

NOTE: For explanation of the abbreviation "BSI" appearing in the following lists, see § 110.3a.

## DISTRICT NO. 1—ST. ALBANS, VERMONT

## CLASS A

Bridgewater, Maine.  
Calais, Maine (includes Ferry Point, Union, and Milltown Bridges), BSI.  
Coburn Gore, Maine.  
Eastport, Maine, BSI.  
Fort Fairfield, Maine, BSI.  
Fort Kent, Maine.  
Houlton, Maine, BSI.  
Jackman, Maine, BSI.  
Limestone, Maine.  
Lubec, Maine.  
Madawaska, Maine, BSI.  
Robbinston, Maine (June-September).  
Van Buren, Maine, BSI.  
Vanceboro, Maine, BSI.  
Connecticut Lakes, N. H.  
Alexandria Bay, N. Y.  
Cape Vincent, N. Y.  
Champlain, N. Y.  
Chateaugay, N. Y.  
Clayton, N. Y.  
Fort Covington, N. Y.  
Malone, N. Y., BSI.  
Mooers, N. Y.  
Morristown, N. Y.  
Ogdensburg, N. Y., BSI.  
Rooseveltown, N. Y., BSI.  
Rouses Point, N. Y., BSI.  
Thousand Island Bridge, N. Y., BSI.  
Trout River, N. Y.  
Waddington, N. Y.  
Alburg, Vt.  
Alburg Springs, Vt.  
Beebe Plain, Vt.  
Beecher Falls, Vt., BSI.  
Canaan, Vt.  
Derby Line, Vt.  
East Richford, Vt.  
Highgate Springs, Vt., BSI.  
Newport, Vt., BSI.  
North Troy, Vt.  
Norton, Vt., BSI.  
Richford, Vt., BSI.  
St. Albans, Vt., BSI.  
West Berkshire, Vt.

## CLASS B

Aroostook Falls Road, Maine.  
Baring, Maine.  
Boundary Cottage, Maine.  
Daaquam, Maine.  
Easton, Maine.  
Forest City, Maine.  
Four Falls Road, Maine.  
Hamlin, Maine.  
Hodgdon, Maine.  
Knoxford Line Road (Mars Hill), Maine.  
Lake Frontier, Maine.  
Littleton, Maine.  
Monticello, Maine.  
Munson Mills Road, Maine.  
North Amity, Maine.  
Orient, Maine.  
St. Francis, Maine.  
St. Paphile, Maine.  
Cannons Corners, N. Y.  
Churubusco, N. Y.  
Hogansburg, N. Y.  
Jamison's Line, N. Y.  
Thousand Island Park, N. Y. (June, July, and August only).  
Morses Line, Vt.

## CLASS C

Bangor, Maine (the port of Bangor includes, among others, the port facilities at Bar Harbor, Belfast, Brewer, Bucksport, Jonesport, Northeast Harbor, Prospect Harbor, Sandypoint, Seal Harbor, Searsport, and Southwest Harbor, Maine), BSI.

## DISTRICT NO. 2—BOSTON, MASSACHUSETTS

## CLASS A

Portland, Maine, BSI.  
Boston, Mass. (the port of Boston includes, among others, the port facilities at Braintree, Cambridge, Chelsea, Everett, Medford, Quincy, Somerville, and Weymouth, Mass.), BSI.  
Gloucester, Mass., BSI.  
New Bedford, Mass., BSI.  
Providence, R. I., BSI.

## CLASS C

Bridgeport, Conn.  
New Haven, Conn.  
New London, Conn.  
Stamford, Conn.  
Bath, Maine.  
Boothbay Harbor, Maine.  
Rockland, Maine.  
Beverly, Mass.  
Buzzards Bay, Mass.  
Danvers, Mass.  
Fairhaven, Mass.  
Fall River, Mass.  
Lynn, Mass.  
Marblehead, Mass.  
Nantucket, Mass.  
Newburyport, Mass.  
Oak Bluffs, Mass.  
Plymouth, Mass.  
Provincetown, Mass.  
Salem, Mass.  
Scituate, Mass.  
Somerset, Mass.  
Woods Hole, Mass.  
Portsmouth, N. H.  
Davisville, R. I.  
Melville, R. I.  
Newport, R. I.  
Quonset Point, R. I.

## DISTRICT NO. 3—NEW YORK, NEW YORK

## CLASS A

New York, N. Y. (the port of New York includes, among others, the port facilities at Bayonne, Carteret, Elizabeth, Elizabethport, Guttenberg, Hoboken, Jersey City, Linden, Newark, Perth Amboy, Port Newark, Sayreville, Sewaren, and Weehawken, N. J.; and at Poughkeepsie and Yonkers, N. Y.), BSI.

## DISTRICT NO. 4—PHILADELPHIA, PENNSYLVANIA

## CLASS A

Philadelphia, Pa. (the port of Philadelphia includes, among others, the port facilities at Delaware City, Lewes, New Castle, and Wilmington, Del.; at Artificial Island, Billingsport, Camden, Deepwater Point, Gibbstown, Gloucester City, Paulsboro, and Trenton, N. J.; and at Chester, Essington, Fort Mifflin, and Marcus Hook, Pa.), BSI.

## DISTRICT NO. 5—BALTIMORE, MARYLAND

## CLASS A

Baltimore, Md., BSI.  
Morehead City, N. C.  
Wilmington, N. C.  
Newport News, Va.  
Norfolk, Va., BSI.

## CLASS C

Alexandria, Va.  
Old Point Comfort, Va.  
Richmond, Va.  
U. S. Navy Mine Depot, Cheatham Annex, Va.

## DISTRICT NO. 6—ATLANTA, GEORGIA

## CLASS A

Mobile, Ala., BSI.  
Apalachicola, Fla.  
Bogachielo, Fla.  
Fernandina, Fla.  
Fort Pierce, Fla.  
Jacksonville, Fla., BSI.  
Key West, Fla., BSI.  
Miami, Fla., BSI.  
Panama City, Fla.  
Pensacola, Fla., BSI.  
Port Everglades, Fla.  
St. Augustine, Fla.  
Tampa, Fla., BSI.  
West Palm Beach, Fla., BSI.  
Brunswick, Ga.  
Savannah, Ga., BSI.  
Lake Charles, La.

New Orleans, La. (the port of New Orleans includes, among others, the port facilities at Avondale, Belle Chasse, Braithwaite, Chalmette, Destrehan, Gretna, Harvey, Marerro, Norco, Port Sulphur, St. Rose, and Westwego, La.), BSI.

Gulfport, Miss.  
Aguadilla, P. R.  
Arecibo, P. R.  
Arroyo, P. R.  
Ensenada, P. R.  
Fajardo, P. R.  
Humacao, P. R.  
Jobos, P. R.  
Mayaguez, P. R.  
Ponce, P. R.  
San Juan, P. R., BSI.  
Charleston, S. C., BSI.  
Georgetown, S. C.  
Christiansted, St. Croix, Virgin Islands.  
Frederiksted, St. Croix, Virgin Islands.  
Cruz Bay, St. John, Virgin Islands.  
Charlotte Amalie, St. Thomas, Virgin Islands, BSI.

## CLASS C

Carrabelle, Fla.  
Port St. Joe, Fla.  
St. Petersburg, Fla.  
Baton Rouge, La.

## DISTRICT NO. 7—BUFFALO, NEW YORK

## CLASS A

Buffalo, N. Y., BSI.  
Lewiston, N. Y.  
Niagara Falls, N. Y., BSI.  
Oswego, N. Y. (June 15-Sept. 15).  
Rochester, N. Y., BSI.  
Youngstown, N. Y.  
Cleveland, Ohio, BSI.  
Erie, Pa.

## RULES AND REGULATIONS

## CLASS C

Dunkirk, N. Y.  
Oswego, N. Y.  
Sodus Point, N. Y.  
Ashtabula, Ohio.  
Conneaut, Ohio.  
Fairport, Ohio.  
Lorain, Ohio.

## DISTRICT No. 8—DETROIT, MICHIGAN

## CLASS A

Algoma, Mich.  
Detroit, Mich., BSI.  
Marine City, Mich.  
Marysville, Mich.  
Port Huron, Mich., BSI.  
Roberts Landing, Mich.  
St. Clair, Mich.  
Sault Ste. Marie, Mich., BSI.  
Sandusky, Ohio.  
Toledo, Ohio.

## CLASS B

Detour, Mich.  
Mackinac Island, Mich.

## CLASS C

East Chicago, Ind.  
Gary, Ind.  
Michigan City, Ind.  
Alpena, Mich.  
Baraga, Mich.  
Bay City, Mich.  
Benton Harbor, Mich.  
Charlevoix, Mich.  
Cheboygan, Mich.  
Copper Harbor, Mich.  
Detour, Mich.  
Eagle River, Mich.  
Escanaba, Mich.  
Frankfort, Mich.  
Grand Haven, Mich.  
Holland, Mich.  
Houghton, Mich.  
Kipling, Mich.  
L'Anse, Mich.  
Ludington, Mich.  
Mackinac Island, Mich.  
Mackinaw City, Mich.  
Manistee, Mich.  
Manistique, Mich.  
Marquette, Mich.  
Menominee, Mich.  
Munising, Mich.  
Muskegon, Mich.  
Northport, Mich.  
Ontonagon, Mich.  
Port Island, Mich.  
Petoskey, Mich.  
Rogers City (Calcite), Mich.  
Saginaw, Mich.  
South Haven, Mich.  
Traverse City, Mich.  
Huron, Ohio.  
Marblehead, Ohio.

## DISTRICT No. 9—CHICAGO, ILLINOIS

## CLASS A

Chicago, Ill., BSI.  
Isle Royale, Mich.  
Baudette, Minn., BSI.  
Duluth, Minn. (the port of Duluth includes, among others, the port facilities at Superior, Wisconsin), BSI.  
International Falls, Minn., BSI.  
Noyes, Minn., BSI.  
Pigeon River, Minn., BSI.  
Pine Creek, Minn.  
Ranier, Minn.  
Roseau, Minn.  
Warroad, Minn., BSI.  
Ambrose, N. Dak.  
Antler, N. Dak.  
Carbury, N. Dak.  
Dunseith, N. Dak.  
Fortuna, N. Dak.  
Hannah, N. Dak.  
Hansboro, N. Dak.  
Maida, N. Dak.  
Neche, N. Dak.

Noonan, N. Dak.  
Northgate, N. Dak.  
Pembina, N. Dak.  
Portal, N. Dak., BSI.  
St. John, N. Dak.  
Sarles, N. Dak.  
Sherwood, N. Dak.  
Walhalla, N. Dak.  
Westhope, N. Dak.  
Green Bay, Wis., BSI.  
Milwaukee, Wis., BSI.

## CLASS B

Crane Lake, Minn.  
Gunflint Lake, Minn.  
Indus, Minn.  
Oak Island, Minn.  
Winton, Minn.  
Lake Metegoshe, N. Dak.

## CLASS C

Grand Marais, Minn.  
Two Harbors, Minn.  
Algoma, Wis.  
Ashland, Wis.  
Bayfield, Wis.  
Kenosha, Wis.  
Kewaunee, Wis.  
Manitowoc, Wis.  
Marinette, Wis.  
Oconto, Wis.  
Peshtigo, Wis.  
Port Washington, Wis.  
Racine, Wis.  
Sheboygan, Wis.  
Sturgeon Bay, Wis.  
Washburn, Wis.

## DISTRICT No. 10—SPOKANE, WASHINGTON

## CLASS A

Eastport, Idaho, BSI.  
Porthill, Idaho.  
Babb, Mont.  
Chief Mountain, Mont. (May—October).  
Del Bonita, Mont.  
Gothaunt Camp, Mont. (May—October).  
Havre, Mont.  
Loring, Mont.  
Opheim, Mont.  
Raymond, Mont.  
Rooerville, Mont.  
Scobey, Mont.  
Sweetgrass, Mont., BSI.  
Turner, Mont.  
Whitetail, Mont.  
Danville, Wash.  
Ferry, Wash.  
Laurier, Wash.  
Metaline Falls, Wash.  
Northport, Wash.  
Ordville, Wash., BSI.

## CLASS B

Trail Creek, Mont.  
Whitlash, Mont.  
Nighthawk, Wash.

## DISTRICT No. 12—SEATTLE, WASHINGTON

## CLASS A

Boundary, Alaska.  
Eagle, Alaska.  
Ketchikan, Alaska (the port of Ketchikan includes, among others, the port facilities at Juneau, Sitka, and Wrangell, Alaska; Ketchikan proper, BSI; Juneau, BSI).  
Skagway, Alaska., BSI.  
Tok Junction, Alaska.  
Astoria, Oreg.  
Coos Bay, Oreg.  
Portland, Oreg., BSI.  
Aberdeen, Wash.  
Anacortes, Wash.  
Bellingham, Wash., BSI.  
Blaine, Wash., BSI.  
Edmonds, Wash.  
Everett, Wash.  
Friday Harbor, Wash. (the port of Friday Harbor includes, among others, the port facilities at Roche Harbor, Wash.).  
Longview, Wash.

Lynden, Wash., BSI.  
Olympia, Wash.  
Port Angeles, Wash., BSI.  
Port Townsend, Wash.  
Seattle, Wash., BSI.  
South Bend, Wash.  
Sumas, Wash., BSI.  
Tacoma, Wash., BSI.

## CLASS B

Point Roberts, Wash.

## CLASS C

Bangor, Wash.  
Blake Island, Wash.  
Bremerton, Wash.  
DuPont, Wash.  
Houghton, Wash.  
Kingston, Wash.  
Mukilteo, Wash.  
Orchard Point, Wash.  
Point Wells, Wash.  
Port Gamble, Wash.  
Shuttleton, Wash.  
Winslow, Wash.

## DISTRICT No. 13—SAN FRANCISCO, CALIFORNIA

## CLASS A

San Francisco, Calif., BSI.  
Honolulu, T. H., BSI.

## CLASS C

Eureka, Calif.  
Hilo, T. H.

## DISTRICT No. 14—SAN ANTONIO, TEXAS

## CLASS A

Beaumont, Tex.  
Brownville, -Tex. (the port of Brownsville includes, among others, the port facilities at Port Isabel, Tex.), BSI.  
Corpus Christi, Tex. (the port of Corpus Christi includes, among others, the port facilities at Harbor Island and Ingleside, Tex.), BSI.

Del Rio, Tex., BSI.

Eagle Pass, Tex., BSI.

Freeport, Tex.

Galveston, Tex. (the port of Galveston includes, among others, the port facilities at Port Bolivar and Texas City, Tex.), BSI.

Hidalgo, Tex., BSI.

Houston, Tex. (the port of Houston includes, among others, the port facilities at Baytown, Tex.), BSI.

Laredo, Tex., BSI.

Port Arthur, Tex. (the port of Port Arthur includes, among others, the port facilities at Orange and Sabine, Tex.), BSI.

Rio Grande City, Tex., BSI.

Roma, Tex., BSI.

Thayer, Tex.

Zapata, Tex.

## CLASS B

Dolores, Tex.  
Lopena, Tex.  
San Ygnacio, Tex.

## DISTRICT No. 15—EL PASO, TEXAS

## CLASS A

Douglas, Ariz., BSI.  
Naco, Ariz., BSI.  
Nogales, Ariz., BSI.  
Sasabe, Ariz.  
Sonoyta, Ariz. (Sonoyta Gate).  
Columbus, N. Mex., BSI.  
El Paso, Tex., BSI.  
Fabens, Tex.  
Presidio, Tex., BSI.  
Ysleta, Tex.

## CLASS B

Lochiel, Ariz.  
Antelope Wells, N. Mex.  
Monument No. 67, near Cloverdale, N. Mex.  
Boquillas, Tex.  
Candelaria, Tex.  
Castolon, Tex.  
Chinati, Tex.

Fort Hancock, Tex.  
Hot Springs, Tex.  
Lajitis, Tex.  
Polvo, Tex.  
Porvenir, Tex.  
Ruidosa, Tex.

## DISTRICT NO. 16—LOS ANGELES, CALIFORNIA

## CLASS A

San Luis, Ariz.  
Andrade, Calif.  
Calexico, Calif., BSI.  
San Diego, Calif., BSI.  
San Luis Obispo, Calif. (the port of San Luis Obispo includes, among others, the port facilities at Avila, Calif.)

San Pedro, Calif. (this is the port of Los Angeles and includes, among others, the port facilities at El Segundo, Long Beach Harbor Area, and Redondo Beach, Calif.), BSI.

San Ysidro, Calif., BSI.

Tecate, Calif.

Ventura, Calif. (the port of Ventura includes, among others, the port facilities at Port Hueneme and Elwood, Calif.)

## CLASS B

Campo, Calif.

Notwithstanding the other provisions of this section and of § 110.3, Ladd Field, Fairbanks, Alaska, and Great Falls, Montana, are hereby designated as ports of entry for aliens arriving in the United States by military aircraft.

**§ 110.2 Immigration stations in Canada.**<sup>1</sup> The following United States immigration stations are located in Canada: Halifax, Nova Scotia (BSI); St. John, New Brunswick (BSI); Montreal, Quebec (BSI); Quebec, Province of Quebec (BSI); Toronto, Ontario (BSI); Winnipeg, Manitoba (BSI); Victoria, British Columbia (BSI); Vancouver, British Columbia (BSI); and Sydney, British Columbia.

NOTE: For explanation of the abbreviation "BSI" appearing in § 110.2, see § 110.3a.

**§ 110.3 Airports of entry.** (a) The following are permanent airports of entry for aliens:

Albany, N. Y., Municipal Field.  
Brownsville, Tex., Rio Grande Valley International Airport at Brownsville, Texas.  
Buffalo, N. Y., Municipal Airport.  
Burlington, Vt., Burlington Municipal Airport.

Caribou, Maine, Caribou Municipal Airport.  
Cleveland, Ohio, Cleveland Municipal Airport.

Detroit, Mich., Detroit Municipal Airport.  
Detroit, Mich., Ford Airport.  
Detroit, Mich., Wayne County Airport.  
Douglas, Ariz., Douglas Airport.  
Duluth, Minn., Duluth Boat Club Seaplane Base.

Duluth, Minn., Duluth Municipal Airport.  
Eagle Pass, Tex., Eagle Pass Airport.  
El Paso, Tex., Municipal Airport.  
Fairbanks, Alaska, Weeks Municipal Airfield.

Juneau, Alaska, Juneau Airport.  
Ketchikan, Alaska, Ketchikan Airport.  
Key West, Fla., Meacham Field.  
Massena, N. Y., Massena Airport.  
Miami, Fla., Dinner Key Seaplane Base.  
Miami, Fla., Pan American Field (or 36th Street).  
Nogales, Ariz., Nogales Municipal Airport.  
Ogdensburg, N. Y., Ogdensburg Harbor.  
Pembina, N. Dak., Fort Pembina Airport.

<sup>1</sup> For districts having jurisdiction over United States immigration stations in Canada, see § 60.1 of this chapter.

Portal, N. Dak., Portal Airport.  
Port Townsend, Wash., Port Townsend Airport.  
Put in Bay, Ohio, Put in Bay Airport.  
Rochester, N. Y., Rochester Municipal Airport.  
Rouses Point, N. Y., Rouses Point Seaplane Base.  
San Diego, Calif., San Diego Municipal Airport (Lindbergh Field).  
San Juan, P. R., Isla Grande Airport.  
Seattle, Wash., Boeing Municipal Air Field.  
Seattle, Wash., Lake Union.  
Skagway, Alaska, Skagway Municipal Airport.  
Swanton, Vt., Warren R. Austin Airport.  
West Palm Beach, Fla., Roosevelt Flying Service Base (Currie Common Park).  
Wrangell, Alaska, Wrangell Seaplane Base.

(b) The following are temporary airports of entry for aliens:

Akron, Ohio, Municipal Airport.  
Baudette, Minn., Baudette Municipal Airport.  
Bellingham, Wash., Bellingham Airport.  
Calexico, Calif., Calexico Municipal Airport.  
Cut Bank, Mont., Cut Bank Airport.  
Fort Yukon, Alaska, Fort Yukon Airfield.  
Grand Forks, N. Dak., Grand Forks Municipal Airport.  
Great Falls, Mont., Gore Field.  
Havre, Mont., Havre-Hill County Airport.  
International Falls, Minn., International Falls Municipal Airport.  
Laredo, Tex., Laredo Municipal Airport.  
Malone, N. Y., Malone-Dufort Airport.  
Miami, Fla., Chalks Flying Service Seaplane Base.  
Ogdensburg, N. Y., Ogdensburg Municipal Airport.  
Presque Isle, Maine, Presque Isle Air Base.  
Sandusky, Ohio, John G. Hinde Airport.  
Sault Ste. Marie, Mich., Sault Ste. Marie Airport.  
Spokane, Wash., Felts Field.  
Watertown, N. Y., Watertown Municipal Airport.

(c) In addition to the places named in paragraphs (a) and (b) of this section, places where permission for certain aircraft to land has been given by the Commissioner of Customs in accordance with the provisions of § 116.3 (a) of this chapter, and places where emergency or forced landings are made under the provisions of § 116.3 (d) of this chapter, shall be regarded as designated for the entry of aliens arriving by such aircraft. (Sec. 7 (d), 44 Stat. 572; 49 U. S. C. 177 (d))

CROSS REFERENCE: For Civil Air Navigation regulations, see Part 116 of this chapter.

**§ 110.3a Location of boards of special inquiry.** If a board of special inquiry is located at a port of entry listed in § 110.1 or at an immigration station named in § 110.2, that fact is indicated by the abbreviation "BSI" placed after the name of the port or station. Such boards of special inquiry also serve any of the airports of entry which are listed in § 110.3 and which are located in, or in proximity to, the same city or town. The provisions of §§ 110.1 to 110.3a, inclusive, do not preclude the conducting of examinations by boards of special inquiry which may convene at places other than the ones indicated. (Sec. 17, 39 Stat. 887; 8 U. S. C. 153)

**§ 110.4 Admissibility; prompt determination.** The appropriate officer shall determine as promptly as circumstances permit the right to admission of each

alien applying for entry into the United States. If, in accordance with the provisions of section 16 of the Immigration Act of 1917 (39 Stat. 885; 8 U. S. C. 152), the examining immigrant inspector detains an alien for examination by a board of special inquiry, the examining inspector shall immediately sign and deliver to the alien the following written notice (Form I-122): "You are hereby notified that, since you do not appear to me to be clearly and beyond a doubt entitled to enter the United States, you are detained for further examination by a board of special inquiry to determine whether you are entitled to enter the United States under the provisions of the immigration laws. During such examination you have the right to be represented by counsel and to have a friend or relative present." If the alien is unable to read the notice, it shall be read and explained to him prior to his examination by the board of special inquiry and through an interpreter if necessary. (Secs. 5 (a), 6 (a), 60 Stat. 239, 240; 5 U. S. C., Sup., 1004, 1005)

**§ 110.5 Admissibility of steerage passengers; determination.** A steerage passenger who is in possession of an unexpired permit to reenter the United States issued pursuant to section 10 of the Immigration Act of 1924 (43 Stat. 158; 8 U. S. C. 210) shall be inspected and examined when practicable at the same time and place as first and second cabin passengers, and if found to be admissible to the United States shall be permitted to enter in the same manner.

**§ 110.6 Aliens coming for employment while residing in contiguous territory; classification.** Aliens entering the United States to engage in existing employment or to seek employment in this country and who desire to continue to reside in foreign contiguous territory will be considered as aliens of the immigrant class. (Sec. 3, 43 Stat. 154, 47 Stat. 607, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 203)

**§ 110.7 Inspection postponed; disability of alien.** When an alien upon arrival or pending the determination of his right to land is found to be suffering from a disability which in the opinion of the immigration officials renders it impracticable to proceed with the examination under the immigration law, such alien may be placed in a hospital designated by the proper immigration official, and inspection shall be postponed during such disability. (Sec. 16, 39 Stat. 885, 58 Stat. 714, 60 Stat. 1049; 8 U. S. C. and Sup., 152)

**§ 110.8 Inspection postponed; members of family.** If in the opinion of the appropriate immigration officers the cases of members of a family are interdependent, and a member is detained in hospital from a disability of the character described in § 110.7, the determination of such cases may be postponed until the member detained in hospital has been discharged therefrom. (Sec. 16, 39 Stat. 885, 58 Stat. 714, 60 Stat. 1049; 8 U. S. C. and Sup., 152)

**§ 110.9 Inspection postponed; accompanying alien.** Where it appears that a rejected alien is likely to be certified by

the examining medical officer as helpless under the last proviso of section 18 of the Immigration Act of 1917 (39 Stat. 887; 8 U. S. C. 154), any alien accompanying such alien and whose protection or guardianship will be required, shall be detained and determination of his case postponed pending decision of the case of the alien likely to be rejected. (Sec. 16, 39 Stat. 885, 58 Stat. 714, 60 Stat. 1049; 8 U. S. C. and Sup., 152)

**§ 110.10 Inspection not postponed.** In cases arising under § 110.8, when the member in hospital is in no manner necessary to the support of the remaining members of the family and presumably is eligible to land provided he recover, such remaining members may be forthwith inspected and, if found eligible, landed upon the deposit, (a) of a sum of money (or ticket covering transportation and money) sufficient to defray the expenses of conveying the detained member to final destination, and (b) if for infancy or any other cause he may require an attendant when traveling to his destination or in the process of deportation, unless satisfactory assurances are given that a proper attendant will be furnished without charge to the Government, of a further sum sufficient to cover the cost of the services and transportation to and fro of such an attendant. (Sec. 16, 39 Stat. 885, 58 Stat. 714, 60 Stat. 1049; 8 U. S. C. and Sup., 152)

**§ 110.11 Reporting condition of vessels.** Pursuant to the provisions of the second proviso to section 11 of the Immigration Act of 1917 (39 Stat. 881; 8 U. S. C. 147), in the case of any vessel which is arriving at a United States port and which is bringing alien passengers to the United States, the immigrant inspector who boards such vessel for the purpose of inspecting the passengers or crew shall observe the conditions prevailing upon the vessel with respect to sanitation and the comfort of passengers and crew. If any such conditions are found to be unsatisfactory, the immigrant inspector shall submit a formal report in triplicate on Form I-84 to the officer in charge of the port, and that office shall forward two copies to the Central Office in order that such further action as may be deemed necessary may be taken.

**§ 110.13 Immigrants having expired documents.** Where an immigrant arriving in the United States by water, or arriving by water at a port designated as a United States port of entry for aliens in foreign contiguous territory, is in possession of and presents an immigration visa or permit and that he has proceeded pired, such immigrant shall be excluded unless it shall satisfactorily appear that the immigrant embarked on the vessel by which he arrives prior to the expiration of the validity of such immigration visa or permit and that he has proceeded by continuous voyage to the United States. (Sec. 2 (c), 43 Stat. 153; 8 U. S. C. 202 (c))

**§ 110.18 Visas and reentry permits; surrender subsequent to entry.** Where an alien has been lawfully admitted but failed to surrender his immigration visa or his reentry permit at the time of such

admission, such documents subsequently coming into the possession of immigration officers will be forwarded to the port where entry occurred for proper disposition. (Sec. 2 (e), 43 Stat. 154; 8 U. S. C. 202 (e))

**§ 110.20 Immigrant aliens liable to be excluded as public charges; admission under bond.** The immigration officer conducting the primary inspection in the case of an alien who is applying for admission to the United States for permanent residence and who is liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a dangerous contagious disease shall refer the question of admission to the officer in charge of the port and that official may in his discretion admit the alien on primary inspection, if otherwise admissible, upon the furnishing of a bond in the sum of not less than \$1,000 conditioned as prescribed on Form I-354, or, in lieu of such bond, upon the depositing of cash or a postal money order in the sum of not less than \$1,000 for the same purposes, and subject to the same conditions as the bond. If the officer in charge of the port does not so admit the alien, the question of admission shall be referred to a board of special inquiry and such board may in its discretion admit the alien, if otherwise admissible, upon the furnishing of the bond or the depositing of the cash or the postal money order described in the preceding sentence. (Sec. 21, 39 Stat. 891; 8 U. S. C. 158)

NOTE: § 110.20, as set forth above, becomes effective Sept. 1, 1947.

**§ 110.21 Form of public charge bonds; action where no longer required.** All bonds, including agreements covering deposits of cash or postal money orders, given as a condition of the admission of an alien under section 21 of the Immigration Act of 1917 (39 Stat. 891; 8 U. S. C. 158) shall be executed on Form I-354 entitled "Bond That Alien Shall Not Become a Public Charge". Where cash or a postal money order is deposited, the depositor shall give his power of attorney and agreement on Form I-304, authorizing the officers designated thereon to collect, assign, or transfer such deposit, in whole or in part, in case of any violation of the conditions of the bond; and the officer accepting such deposit shall give his receipt therefor on Form I-305. If proofs are submitted that the alien is no longer likely to become a public charge or is no longer afflicted with a physical disability, the bond with its appurtenant documents shall be forwarded to the Commissioner of Immigration and Naturalization with an appropriate recommendation.

NOTE: § 110.21, as set forth above, becomes effective Sept. 1, 1947.

CROSS REFERENCE: For approval and cancellation of public charge bonds, see 8 CFR Part 169.

**§ 110.27 Definitions of "status" in relation to nonimmigrants and students.** The term "status" as used in the Immigration Act of 1924 means the condition of carrying on one of the particular limited activities for which an alien may be admitted under a subdivision of sec-

tion 3 of that act (43 Stat. 154, 47 Stat. 607, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 203) or under subdivision (e) of section 4 (43 Stat. 155; 8 U. S. C. 204 (e)). When applied to an alien, the term "official status" means that he is admissible under section 3 (1) and is a government official, or a member of the family, attendant, servant, or employee of a government official whom he accompanies or follows to join; the term "visitor's status" means that he is admissible under section 3 (2) and is an alien visiting the United States temporarily as a tourist or temporarily for business or pleasure; and the term "trader's status" means that he is admissible under section 3 (6) and is an alien entitled to enter and to remain in the United States solely to carry on trade between the United States and the foreign state of which he is a national under and in pursuance of the provisions of a treaty of commerce and navigation, or the wife, or unmarried child under 21 years of age of a person so entitled whom he accompanies, or follows to join.

**§ 110.28 Officials, visitors, traders; determination of admissibility.** When an alien claims to have an official status, or a visitor's status, or a trader's status, and is otherwise admissible, an examining officer may temporarily admit him if satisfied beyond a doubt that the alien has the specific status claimed. If the officer is not so satisfied, such alien shall be held for examination regarding his status by a board of special inquiry or, at ports where there are no permanent boards of special inquiry, by the officer in charge at such port. Either of these authorities may temporarily admit him if satisfied that the alien has the specific status claimed.

**§ 110.29 Officials, visitors, traders; period and conditions of admission.** The admission of the aliens described in § 110.28 by an examining officer, by a board of special inquiry, or by an officer in charge at a port shall be for a reasonable fixed period not exceeding one year, and on condition that the alien shall maintain during his temporary stay in the United States the specific status claimed, and shall voluntarily depart therefrom at the expiration of the time fixed or upon failure to maintain the specific status under which admitted. If the question of admission is referred to either a board of special inquiry or the officer in charge of a port, that authority may exact, as a condition of admission, a bond in the sum of \$500 with appropriate provisions to insure that the alien will voluntarily depart from the United States at the expiration of the time fixed or upon his failure to maintain the specific status claimed, whichever shall happen sooner. Exceptions to this section are as follows:

(a) **Officials.** A government official and his family shall be admitted without limitation of time and shall not be required to give bond;

(b) **Traders.** An alien having a trader's status shall be admitted without limitation of time;

(c) **Trader, minor child of.** An alien who has been admitted as the unmarried minor child of a treaty trader shall be

regarded as having maintained his specific status so long as his parent maintains his trader's status;

(d) *Visitors; readmission from contiguous territory.* If an alien who claimed a visitor's status and who was admitted without exaction of a bond, subsequently departs to foreign contiguous territory for a temporary visit and returns to the United States, such departure shall not be considered as affecting the period for which he was originally admitted, and upon his return he shall be entitled to readmission, if no cause for exclusion is found. (Sec. 15, 43 Stat. 162, 47 Stat. 524; 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 215)

§ 110.31 *Officials, traders, visitors; change of status, conditions.* After an alien has gained admission by claiming a visitor's status, a trader's status or (except in the case of a government official or his family) an official status, or by meeting the requirements of section 4 (e), Immigration Act of 1924 (43 Stat. 155; 8 U. S. C. 204 (e)), he cannot change from the specific status under which he was admitted, unless, because of the peculiar circumstances of his case, the Attorney General authorizes such change. In meritorious cases where the Attorney General does authorize such change, he may (except in the case of an alien becoming a government official or a member of the family of such an official) exact, as a condition of the change, a bond in such sum and with such provisions as he deems appropriate to insure that the alien shall voluntarily depart from the United States at the expiration of a time fixed by the Attorney General or upon his failure to maintain the specific new status acquired, whichever shall happen sooner. (Sec. 3, 43 Stat. 154, 47 Stat. 607, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 203)

§ 110.33 *Nonimmigrant bonds; approval and cancellation.* [Revoked.]

NOTE: § 110.33 has been revoked, effective Sept. 1, 1947.

§ 110.34 *Traders not contract laborers.* An alien who has a trader's status shall not be subject to the contract labor provisions of section 3 of the Immigration Act of 1917. (Sec. 3, 39 Stat. 875, sec. 3, 43 Stat. 154, 47 Stat. 607; 8 U. S. C. 136 (h), 203)

§ 110.35 *Entry of aliens who were born in the barred zone but who are not barred by section 13 (c) of the Immigration Act of 1924, as amended.* The rights of any alien not barred from admission to the United States by the provisions of section 13 (c) of the Immigration Act of 1924, as amended (43 Stat. 162, 46 Stat. 581, 60 Stat. 975; 8 U. S. C. and Sup., 213 (c)), shall not be regarded as impaired by those provisions of section 3 of the Immigration Act of February 5, 1917 (39 Stat. 875; 8 U. S. C. 136 (n)), relating to the exclusion of natives of the geographical zone described in said section 3.

§ 110.36 *Nonquota status; by relationship to citizen or by former citizenship.* (a) An unmarried child under 21 years of age, or the wife, of a citizen of the United States, or the husband of a citizen of the United States by marriage

occurring prior to July 1, 1932, shall not be regarded as a nonquota immigrant unless provided with an immigration visa duly issued by an American consular officer, designating the holder as such, and then only when the facts necessary to determine the particular status as a nonquota immigrant are established to the satisfaction of the examining immigration officer. The alien will be excluded if subsequent to issuance of the visa the alien has obtained a divorce from the citizen petitioner; or, if subsequently widowed, has remarried; or, if beneficiary is a child, has subsequently married. A person who is ineligible to citizenship or is a person of a race indigenous to India as defined in section 5 (a) of the act of July 2, 1946 (60 Stat. 417; 8 U. S. C. Sup., 212c), or is a Chinese person as defined in section 5 (b) of the same act, shall not be regarded as having a non-quota status solely because he bears one of the relationships to a citizen of the United States described in this paragraph: *Provided*, That nothing in this section shall be construed to deprive a Chinese alien wife of a United States citizen of nonquota status which she may derive because of marriage to a United States citizen.

(b) A woman, regardless of her race, who was a citizen of the United States and lost her citizenship by reason of her marriage to an alien, or the loss of United States citizenship by her husband, or by marriage to an alien and residence in a foreign country, and who has acquired no other nationality by affirmative act other than by such marriage, shall not be regarded as a nonquota immigrant unless provided with an immigration visa duly issued by an American consular officer, designating the holder as such, and then only when the facts necessary to determine the particular status as a nonquota immigrant are established to the satisfaction of the examining immigration officer.

(c) A person, regardless of his race, who was a citizen of the United States and also a national of a foreign state, and who lost his citizenship of the United States under the provisions of section 401 (c) of the Nationality Act of 1940 (54 Stat. 1169; 8 U. S. C. 801), and who claims that he is entering the United States for the purpose of recovering his citizenship, shall not be regarded as a nonquota immigrant unless provided with an immigration visa duly issued by an American consular officer designating the holder as such, and then only if the facts necessary to determine the particular status are established to the satisfaction of the examining immigration officer. (Secs. 4 (a), 4 (f), 43 Stat. 155, 45 Stat. 1009, 46 Stat. 854, 47 Stat. 656, sec. 13 (a), 43 Stat. 161, 50 Stat. 165, sec. 317 (c), 54 Stat. 1147; 8 U. S. C. 204 (a), 204 (f), 213 (a), 717 (c))

§ 110.37 *Nonquota status on basis of former residence.* (a) An alien, regardless of his race, claiming to be a non-quota immigrant on the ground that he has previously been lawfully admitted to the United States and is returning from a temporary visit abroad shall not be admitted as such unless at the time of arrival he shall establish that he has pre-

viously been lawfully admitted for permanent residence, is returning from a temporary visit abroad, and presents such valid documents as may be necessary under the terms of an outstanding Executive order or orders prescribing documents required of aliens entering the United States, or a waiver of such documents has been granted by the Secretary of State under the circumstances present in his case.

(b) The following described aliens who on admission expressed an intention of remaining but temporarily in or passing in transit through the United States, of whose admission a record exists, and in whose cases a head tax was assessed, if assessable, and not refunded, but who remained in the United States, may be regarded as having been admitted for permanent residence:

(1) Aliens admitted prior to June 3, 1921, except that aliens of these classes admitted temporarily under the 9th proviso to section 3 of the Immigration Act of 1917, will not be regarded as having been admitted for permanent residence;

(2) Aliens admitted under the act of May 19, 1921, as amended, who were of a class admissible for permanent residence under that act notwithstanding the quota limitations of that act;

(3) An accompanying wife or unmarried child under 21 years of age of an alien admitted under the act of May 19, 1921, as amended, who was of a class admissible for permanent residence under that act notwithstanding the quota limitations of the act; and

(4) Aliens charged under such law to the proper quota at time of admission or subsequently and who remained so charged. (Secs. 4 (b), 13 (a), 43 Stat. 155, 161, 50 Stat. 165; 8 U. S. C. 204 (b), 213 (a))

CROSS REFERENCE: For reentry of nonquota immigrant student without visa, see § 176.203 (d) of this chapter.

§ 110.38 *Lawful admission; when presumed.* Citizens of Canada or Newfoundland who entered the United States across the Canadian border prior to October 1, 1906, and citizens of Mexico who entered across the Mexican border prior to July 1, 1908, shall, for reentry purposes, be presumed to have been lawfully admitted, even though no record of their original entry can be found. Aliens who entered the Virgin Islands of the United States prior to July 1, 1938, shall, for purposes of reentry at any port of entry, be presumed to have been lawfully admitted for permanent residence even though no record of their original entry can be found or even though a record of their admission as nonimmigrants is found. Any alien within the terms of this section shall upon application for readmission to the United States be inspected and be subject to the requirements of the immigration laws and regulations the same as if the original presumed lawful entry was by recorded admission for permanent residence; and if no record exists of a reentry since such presumed lawful entry, the alien shall be regularly manifested for the purpose of recording the application for readmission. Nothing in this section shall be deemed to preclude an alien qualified

## RULES AND REGULATIONS

to do so from applying for registry under section 328 (b) of the act of October 14, 1940 (54 Stat. 1452; 8 U. S. C. 728 (b)).

**CROSS REFERENCE:** For issuance of certificate of arrival based on recorded reentry of alien presumed lawfully admitted, see Part 363 of this chapter.

**§ 110.39 Nonquota status; by country of birth or by relationship to certain non-quota immigrants.** (a) An alien claiming a nonquota status because of birth in the Dominion of Canada, Newfoundland, the Republic of Mexico, the Republic of Cuba, the Republic of Haiti, the Dominican Republic, the Canal Zone, or an independent country of Central or South America shall not be regarded as a non-quota immigrant unless provided with an immigration visa duly issued by an American consular officer designating the holder as such, and then only when it shall be established to the satisfaction of the examining immigration officer that he has been, and seeks to enter the United States solely for the purpose of, so carrying on his vocation. When an alleged wife, or an unmarried child or children under 18 years of age accompany such an alien or follow to join him and seek admission as nonquota immigrants on the ground that the husband or parent is or was a nonquota immigrant as described in this section, these claimed members of the family must also present immigration visas duly issued by an American consular officer, designating the wife or child or children as nonquota immigrants on such ground and satisfactory proof shall be required of the relationship asserted and the age of the child or children.

(b) When a wife, or child under 18 years of age, born elsewhere than in one of the countries named or referred to in paragraph (a) of this section, seeks to enter the United States as a nonquota immigrant because coming to join a husband or parent alleged to have been born in one of such countries, such wife or child must present an immigration visa duly issued by an American consular officer, designating the holder as a non-quota immigrant and shall establish to the satisfaction of the examining immigration official (1) that the claimed relationship actually exists; (2) that the child or children are under 18 years of age; (3) that such husband or parent was born in one of such countries; and (4) that such husband or parent has been lawfully admitted to the United States for permanent residence and resides therein.

(c) An alien who is ineligible to citizenship or is a person of a race indigenous to India as defined in section 5 (a) of the act of July 2, 1946 (60 Stat. 417; 8 U. S. C., Sup. 212c), or is a Chinese person as defined in section 5 (b) of the same act, shall not be regarded as having the nonquota status described in paragraph (a) or (b) of this section. (Sects. 4 (c), 13 (a), 43 Stat. 155, 161, 50 Stat. 165; 8 U. S. C. 204 (c), 213 (a))

**§ 110.40 Nonquota status; ministers and professors; students.** (a) An alien, regardless of his race, who claims a non-quota status because for at least two years immediately preceding the time of his application for admission to the

United States he has continuously been, and seeks to enter the United States solely for the purpose of, carrying on the vocation of minister of any religious denomination or professor of a college, academy, seminary, or university shall not be regarded as a nonquota immigrant unless provided with an immigration visa duly issued by an American consular officer designating the holder as such, and then only when it shall be established to the satisfaction of the examining immigration officer that he has been, and seeks to enter the United States solely for the purpose of, so carrying on his vocation. When an alleged wife, or an unmarried child or children under 18 years of age accompany such an alien or follow to join him and seek admission as nonquota immigrants on the ground that the husband or parent is or was a nonquota immigrant as described in this section, these claimed members of the family must also present immigration visas duly issued by an American consular officer, designating the wife or child or children as nonquota immigrants on such ground and satisfactory proof shall be required of the relationship asserted and the age of the child or children.

(b) An alien, regardless of his race, claiming to be a nonquota immigrant on the ground that he is a student as defined in § 125.1 of this chapter shall not be regarded as a nonquota immigrant unless provided with an immigration visa duly issued by an American consular officer designating the holder as such, and then only when the facts necessary to determine his status as a student are established to the satisfaction of the examining immigration officer. (Sec. 4 (d), 43 Stat. 155, 44 Stat. 812, sec. 13 (a), 43 Stat. 161, 50 Stat. 165; 8 U. S. C. 204 (d), 213 (a))

**§ 110.41 Nonquota status; failure to prove on primary inspection.** Where an immigrant claiming a nonquota status fails to meet the requirements of §§ 110.36, 110.37, 110.39, 110.40, he shall be held for examination in relation thereto by a board of special inquiry. (Sec. 16, 39 Stat. 885; 8 U. S. C. 152)

**§ 110.42 Financial status.** In the absence of a statutory provision, no hard and fast rule can be laid down as to the amount of money an alien should have. This is only one element to be considered in each case, but generally he should have enough to provide for his reasonable wants and those of accompanying persons dependent upon him until such time as he is likely to find employment; and when bound for an interior point, railroad ticket or funds with which to purchase the same. (Sec. 3, 39 Stat. 875; 8 U. S. C. 136 (1))

**§ 110.43 Reading test; aliens subject thereto.** All aliens over 16 years of age who are physically capable of reading, except as specified in the statute and described in § 110.47, shall be required to demonstrate their ability to read matter printed in plainly legible type and in a language or dialect designated by the alien at the time of examination. (Sec. 3, 39 Stat. 875; 8 U. S. C. 136 (o))

**§ 110.44 Reading test; general method of application.** When applying the reading test immigration officers shall use the printed and numbered test slips supplied by the Central Office for that purpose, and a record shall be made upon the manifest or board minutes showing both the class and serial numbers of the slip used in each case and the language or dialect designated by the applicant and actually used in the examination. No two aliens listed upon the same manifest sheet shall be examined at seaports by the use of the same slip. If the examining inspector is unable to speak and understand the language or dialect in which the alien is examined, the services of an interpreter shall be used for interpreting into spoken English the printed matter as read by the alien, so that the examining inspector may compare such interpretation with the slip of corresponding serial number containing the English translation of the same reading matter. (Sec. 3, 39 Stat. 875; 8 U. S. C. 136 (o))

**§ 110.45 Reading test; exceptional method of application.** In all cases in which, because of lack of the qualified interpreters necessary for the observance of the general method prescribed in § 110.44, or for any other reason it is impracticable to adopt said general method, immigration officers may employ such other means as will clearly demonstrate the alien's ability, or lack of ability, to read. (Sec. 3, 39 Stat. 875; 8 U. S. C. 136 (o))

**§ 110.46 Reading test; failure to read; procedure.** In the event the applicant is subject to the reading test and is unable to satisfy the examining or challenging inspectors of his ability to read matter printed in the designated language or dialect, it shall be the duty of either the examining or the challenging inspectors to detain the applicant for special inquiry and to record upon the manifest and detention cards for the information of the board the class and serial numbers of the slip used or other means employed in the primary examinations to determine ability to read. (Sects. 3, 16, 39 Stat. 875, 885; 8 U. S. C. 136 (o), 152)

**§ 110.47 Exemptions from reading test.** The following classes of aliens over 16 years of age are exempted from the reading test:

(a) **Physically incapable.** Persons who are physically incapable of reading.

(b) **Relationship.** Persons of any of the following relationships to United States citizens, admissible aliens, or legally admitted aliens, when such persons are sent for or brought in by such citizens, admissible aliens, or admitted aliens: father, if over 55 years of age; grandfather, if over 55 years of age; wife; mother; grandmother; unmarried daughter; or widowed daughter.

(c) **Religious persecution.** Persons seeking admission to the United States to avoid religious persecution in the country of their last permanent residence.

(d) **Returning residents.** Persons who have been lawfully admitted to the United States and who have resided therein continuously for five years and

who have returned to the United States within six months from the date of their departure therefrom.

(e) *Transits through contiguous territory.* Persons who have been lawfully admitted to the United States and who later go from one part of the United States to another through foreign contiguous territory. The period an alien may remain in foreign contiguous territory while in transit under this exemption shall be limited to 60 days. An alien may leave and enter the United States at the same port and still be in transit within the meaning hereof.

(f) *Transits.* Persons in transit through the United States, as defined in § 118.1 of this chapter.

(g) *Visitors from nearby countries.* Persons whose legal domicile or bona fide residence was in Canada, Newfoundland, Cuba, or Mexico for at least one year immediately preceding entry and who enter the United States temporarily for business or pleasure for a period not exceeding one year.

(h) *Exhibitors.* Exhibitors and employees of fairs and expositions authorized by Congress. (Sec. 3, 39 Stat. 875; 8 U. S. C. 136 (o), (q))

§ 110.48 *Unaccompanied children; admission.* Children under 16 years of age unaccompanied by or not coming to one or both of their parents may be admitted on primary examination when the immigration officer is satisfied that they are in good mental and physical condition, that while abroad they have not been the objects of public charity, that they are going to near relatives who are able and willing to support and properly care for them, that it is the intention of such relatives to send such children to day school until they reach the age of 16, and that they will not be put at work unsuited to their years; or that the children are to attend a designated reputable institution of learning for which suitable provision has been made in advance, or that the children are merely in transit and the person accompanying such children will convey them through and out of the United States, or that the children are to make a temporary visit to their relatives. (Sec. 3, 39 Stat. 875; 8 U. S. C. 136 (m))

§ 110.49 *Unaccompanied children; exceptional cases.* In cases where all of the conditions set forth in § 110.48 are not met, but the immigration officer on primary examination is satisfied that the applicant is admissible, the case may be referred to the officer in charge, and if he likewise is satisfied of the applicant's admissibility the case may be disposed of on primary examination; otherwise it shall be referred to a board of special inquiry. (Secs. 3, 16, 39 Stat. 875, 885; 8 U. S. C. 136 (m), 152)

§ 110.50 *Stowaways.* Aliens arriving at seaports of the United States as "stowaways" or alien "stowaways" who arrive as "workaways" shall be held for examination by a board of special inquiry. Unless the board reaches the conclusion that beyond a doubt the alien, except for being or having been a stowaway, is entitled to land, it shall exclude. Such an alien is entitled to appeal unless he

is certified as afflicted with diseases or disabilities as specified in the proviso of section 17 of the Immigration Act of 1917. (Secs. 3, 16, 17, 39 Stat. 875, 885, 887; 8 U. S. C. 136 (l), 152, 153)

§ 110.51 *Aliens previously rejected; exclusion; permission to reapply.* Any alien excluded from admission and deported in pursuance of law who applies for admission within one year after such rejection and deportation shall be excluded, unless, prior to reembarkation at a place outside the United States or his attempt to be admitted from foreign contiguous territory, the Attorney General has consented to his reapplication for admission. At the time of original exclusion by a board of special inquiry, an applicant shall be advised of the provisions of law relating to the obtaining of permission to reapply within one year, and the fact of such notification shall be entered on the record, together with the applicant's foreign address. In strictly meritorious cases, where the cause of exclusion may be readily overcome, applicants may be advised by the board of special inquiry that an application for permission to reapply may then and there be made. If the applicant desires to make such application, the board record shall thereupon be forwarded to the Department, whether or not an appeal is taken from the excluding decision. In other cases applications for the privilege to reapply should be submitted to the official in charge at the port of last exclusion, and will be forwarded by such official through proper channels to the Central Office, accompanied by the record previously formulated, unless the Central Office through appeal proceedings has already come into possession of the record. If upon consideration of the record the Attorney General grants permission to reapply within one year of date of exclusion, notification of such permission shall be transmitted to the port where alien was excluded, if he has not already been deported, or to his foreign address, if he has actually been deported. (Sec. 1 (d), 45 Stat. 1551; 8 U. S. C. 136 (j))

§ 110.52 *Aliens previously arrested and deported; exclusion; permission to reapply.* Any alien heretofore or hereafter arrested and ordered deported in pursuance of law shall be excluded from admission to the United States: *Provided, however,* That the foregoing shall not apply to any alien who was arrested and deported prior to March 4, 1929, and prior to his reembarkation at a place outside the United States, or prior to his application in or from foreign contiguous territory for admission to the United States, and prior to March 4, 1929, has been granted permission to apply for admission by the Attorney General, and when so applying is found admissible; or to any other alien so ordered deported who has left the United States, if prior to reembarkation from a point outside the United States, or prior to his application in or from foreign contiguous territory for admission to the United States he applies for and obtains from the Attorney General permission to apply for admission after one year from the date of his departure in pursuance of an order

of deportation, and is found admissible. Application for permission to reapply may be made at any time after such departure. Application should be made on Form I-212, when available, and should be sent direct to the Central Office of the Service. (Sec. 1 (a), (b), (c), 45 Stat. 1551, sec. 7, 47 Stat. 166; 8 U. S. C. 180, 181)

§ 110.53 *Immigrants, possessing proper documents, but who entered without examination; procedure.* Where an alien is found in the United States in possession of an immigration visa or a reentry permit, who failed to undergo proper examination at a port of entry, such alien shall be examined in the district where located or residing, and complete record of the case, including his or her visa or reentry permit, shall be forwarded to the Central Office for consideration by the Department. If the Department directs admission, the officer in charge of the district where the examination has taken place will be so advised and furnished with the visa or permit, and he will thereupon cause the alien to be properly recorded as admitted, or if entry occurred in another district, he will forward the visa or permit to the officer in charge of that district for such recording, together with a duplicate copy of the entire record of examination, which record should include appropriate statistical data, postal money order for the head tax (where the latter is required), together with complete details concerning the time, place, and manner of the entry. It is essential that officers conducting such examinations shall go thoroughly into the circumstances attendant upon the failure of the alien to undergo proper examination at the time of entry, and particularly so if said entry occurred through a regular port, for the purpose of fixing the responsibility for failure to undergo inspection, as well as the actual date of the alien's entry, the port through which entry was made, and the means of transportation employed. Record of admission, if and when made, will be as of the actual date, place, and manner of arrival in the United States. If admission is not directed, instructions will be given for such other action as the circumstances may warrant. (Sec. 2 (e), 43 Stat. 154; 8 U. S. C. 202 (e))

PART 112—ADMISSION OF HOLDERS OF CERTIFICATES OF IDENTITY TO PROSECUTE AN ACTION UNDER SECTION 503 OF THE NATIONALITY ACT OF 1940

Sec.

- 112.1 Ports of entry upon certificate of identity.
- 112.2 Entry upon certificate of identity; conditions.
- 112.3 Certificate of identity obtained by fraud or other illegality.
- 112.4 When deportation proceedings shall be instituted.
- 112.5 Transportation of holder of certificate of identity.

AUTHORITY: §§ 112.1 to 112.5, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 138; 8 CFR, 90.1. §§ 112.1 to 112.5, inclusive, interpret and apply sec. 503, 54 Stat. 1171; 8 U. S. C. 903.

## RULES AND REGULATIONS

**§ 112.1 Ports of entry upon certificate of identity.** The admission to the United States of a person on the basis of a certificate of identity issued under section 503 of the Nationality Act of 1940 (54 Stat. 1171; 8 U. S. C. 903) may be granted only at a port designated in § 110.1 or § 110.3 of this chapter as a port of entry for aliens.

**§ 112.2 Entry upon certificate of identity; conditions.** The holder of such a certificate of identity shall be regarded as an alien until otherwise finally held by the court in the action for a judgment declaring him to be a national of the United States. He shall be admitted to the United States as a temporary visitor for business on the condition, including, when deemed necessary, the giving of a bond with sufficient surety, that he shall depart from the United States if it is discovered that he has obtained admission by fraud or other illegality or if the final action in court to determine his nationality is not to the effect that he is a national of the United States. In addition, if such person is found to be afflicted with a loathsome or dangerous contagious disease or to have had one or more attacks of insanity or to be likely to become a public charge in the United States or to belong to one or more of the classes excluded from admission to the United States by the act approved October 16, 1918, as amended, or to be of a race that renders an individual ineligible to naturalization, his admission shall, unless the Attorney General on appeal from a decision of the board of special inquiry otherwise directs, be upon such further conditions as may be prescribed by the immigration authorities of the United States. The conditions shall be such as may be deemed necessary to safeguard the public and to require periodic reports by the person of his whereabouts to the immigration authorities of the United States, so that departure or deportation therefrom may be effected in the event it is discovered that he obtained admission by fraud or other illegality or if the final outcome of his action in court to determine his nationality is not to the effect that he is a national of the United States and if he then fails to depart without delay from the United States in accordance with directions from the immigration authorities. At the time of admission the certificate of identity shall be endorsed by the immigration officer to show the manner of arrival and the place and date of admission. The endorsement shall be signed by the officer making it and he shall add thereto the title of his office. A person admitted on a certificate of identity shall be informed at the time of admission that, until he departs from the United States or there is a decision of the court that he is a national of the United States, he is required by law to notify the Commissioner of Immigration and Naturalization, Washington, D. C., in writing of his address at the expiration of each three months' period of residence in the United States.<sup>1</sup> Also, at the time of such admis-

sion, a report of the name of such person and the date and port of his admission shall be made by the immigration office at once to the United States attorney for the judicial district in which the action by the person is pending for a judgment declaring that he is a national of the United States. If the final decision in such action in court be that he is a national of the United States, a record to that effect shall be made by the immigration authorities at the port of admission.

**§ 112.3 Certificate of identity obtained by fraud or other illegality.** Whenever there is evidence before the immigration authorities indicating that a certificate of identity was obtained or issued through fraud or other illegality or that it is in the possession of a person other than the rightful holder, the certificate shall not entitle the holder to be admitted to the United States unless satisfactory evidence is presented showing that such is not the case. Whenever a certificate of identity is found by an immigration officer of the United States to have been obtained by fraud or other illegality or to be in the possession of a person other than the rightful holder, such officer shall, if practicable, obtain possession of the certificate and send it, together with a report on the matter, through the Central Office, Immigration and Naturalization Service, Washington, D. C., to the Department of State.

**§ 112.4 When deportation proceedings shall be instituted.** Steps for the institution of deportation proceedings against a person admitted on the basis of a certificate of identity shall be taken by the Immigration and Naturalization Service in accordance with the applicable sections of Part 150 of this chapter if found to have obtained admission to the United States unlawfully or if he fails to comply with the conditions under which admitted to the United States.

**§ 112.5 Transportation of holder of certificate of identity.** The transportation of the holder of a certificate of identity to the United States shall be subject to the same liabilities and penalties under the immigration laws as the bringing of any alien to the United States except liability to any fine or penalty under the immigration laws because of a mental defect other than such defects specifically named in section 9 of the Immigration Act of 1917, as amended (39 Stat. 880, 43 Stat. 166; 8 U. S. C. 145), or a physical defect of a nature which may affect ability to earn a living, as contemplated in section 3 of the Immigration Act of 1917 (39 Stat. 875; 8 U. S. C. 136) or because of excludability under that section as a native of that portion of the continent of Asia and the islands adjacent thereto described in that section, or because of inability to read.

**CROSS REFERENCE:** For procedure in cases of other mental or physical affliction, see § 132.3 of this chapter.

<sup>1</sup> For regulations in regard to notification of address, see § 170.7 of this chapter.

**PART 114—INSPECTION OF CITIZENS AND ALIENS ENTERING FROM OR THROUGH CONTIGUOUS TERRITORY**

Sec.

- 114.1 Inspection.
- 114.2 Preexamination of citizens, nationals, statistical and nonstatistical aliens.
- 114.3 Preexamination; procedure when admissibility determined.
- 114.4 Procedure where preexamination board is nonexistent.
- 114.5 Further examination at border port.
- 114.6 Canadian-born American Indians; exemption from immigration laws.
- 114.7 Residence in contiguous territory by aliens who traveled on noncomplying line.

**AUTHORITY:** §§ 114.1 to 114.7, inclusive, is sued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 875, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 132; 8 CFR, 90.1. §§ 114.1 to 114.7, inclusive, interpret and apply sec. 23, 39 Stat. 892, sec. 17, 43 Stat. 163; 8 U. S. C. 160, 162, 217. Other statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 114.1 Inspection.** All inspections and medical examinations conducted at Canadian seaports of entry for aliens bound for the United States, the land border ports of entry, or United States immigration offices in the interior of Canada where boards of special inquiry are stationed, shall be in all respects similar to those conducted at other ports of entry, and all necessary facilities shall be provided the proper officials of the United States to enable them to make the inspections and examinations required under the immigration laws of the United States.

**§ 114.2 Preexamination of citizens, nationals, statistical and nonstatistical aliens.** United States citizens, citizens of the insular possessions of the United States, and aliens of the nonstatistical class, except as hereinafter provided, applying for preexamination in Canada at places where United States immigration officers are stationed, shall prepare and present Form I-121 at time of application, obtainable at such immigration offices, railroad or steamship ticket offices in Canada, or at such other places as may hereafter be designated. The names and ages of children under sixteen may be included in Form I-121 prepared by the accompanying parent or guardian. The preexamining inspector shall indicate on Form I-121 whether the alien holder is a temporary visitor or a returning resident of the United States: *Provided*, That aliens of the class mentioned who are required to deposit head tax shall be fully manifested on Form I-448 by the preexamining inspector: *Provided further*, That such inspector shall enter on Form I-448 the data appearing on Form I-121 with regard to those nonstatistical aliens who hold reentry permits or properly visaed passports, the form to contain a notation of the number of the permit or the fact that a visaed passport is carried: *And provided further*, That no preexamination will be accorded to persons of any class planning to proceed directly from a Canadian seaport to ports in the Territories of Hawaii and Alaska. Aliens of the statistical class shall be fully mani-

fested on Form I-448 by the preexamining inspector whether arriving from overseas or whether their journey originates in Canada. Notwithstanding the other provisions of this section, Form I-448 shall not be executed when its use is obviated by the presentation by the alien of Forms 257a, 257b, and 257d or by the preparation of Form I-94.

**§ 114.3 Preexamination; procedure when admissibility determined.** If and when admissibility is determined, Form I-121, I-448, 257d, or I-94 shall be so endorsed by the appropriate immigration officer, attached to other pertinent immigration documents, and given to the applicant for presentation and surrender at the actual port of entry into the United States. If applicants of any class so pre-examined depart for the United States by water from a place other than that at which the preexamination was conducted, the endorsed forms shall be countersigned by the appropriate United States immigration officer at the Canadian port of embarkation. Upon the surrender at ports of entry of properly endorsed forms within 30 days from endorsement, the period of the validity of the endorsement, the rightful holders will be promptly admitted if their status has undergone no change since preexamination: *Provided, however,* That holders of visas must apply for admission at ports of entry within the period of validity of their visas, or it is established that such holders began a continuous journey to such ports of entry prior to the expiration of the visas. The actual port of entry into the United States shall be the "record" port of entry for all purposes, including head-tax transactions. Forms I-121 and I-448 shall be completed at such actual port of entry, as will be all other immigration documents.

**§ 114.4 Procedure where preexamination board is nonexistent.** Any alien not provided with a validly endorsed Form I-121, I-448, 257d, or I-94 who shall apply for admission at a point on the Canadian border where no board of special inquiry is located, if held for examination before such a board, shall be conveyed by the transportation company concerned to the nearest port of entry where a board of special inquiry is located; and, in the discretion of the appropriate United States immigration official, any alien not having been pre-examined and not holding any of said forms, who shall apply for admission at a border point within one year after arriving at a Canadian seaport, shall be returned by the transportation company responsible, to the seaport of arrival for examination by United States immigration officials and (where proper) assessment of head tax in the manner required in the cases of aliens arriving at Canadian seaports and giving destinations in the United States, unless it shall appear that such alien was originally destined in good faith to Canada and has been actually residing in said country, or unless, upon examination, Canadian officials shall declare such alien eligible for residence in Canada and the transportation company involved shall arrange for

his removal a reasonable distance from the boundary: *Provided,* That where the mental, physical, financial, or moral status of the alien is such that in the opinion of the proper official such person should be returned to the initial point of departure in Canada, the transportation company or other interest concerned shall, upon request, return such alien to such initial point of departure.

**§ 114.5 Further examination at border port.** All aliens seeking entry into the United States from Canada at the border ports without first having been preexamined and provided with endorsed Form I-121, I-448, 257d, or I-94, who may not appear to the examining immigrant inspector clearly and beyond a doubt entitled to enter the United States; and those aliens holding any of said forms whose further examination is deemed necessary or advisable; and aliens brought to the border who have arrived in Canada by steamship lines or vessels which have not conformed to the requirements of section 17 of the Immigration Act of 1924 (43 Stat. 163; 8 U. S. C. 217), and who have not had two years' residence in Canada, shall, at the discretion of the examining immigrant inspector, be removed from the railroad train or other vehicle of travel by the owner, agent, or person in charge of the transportation line concerned, and delivered to the immigration office or such other place of detention as may be designated by the said examining immigrant inspector, for further examination.

**§ 114.6 Canadian-born American Indians; exemption from immigration laws.** Aliens who are American Indians born in Canada (exclusive of persons whose membership in Indian tribes or families is created by adoption) shall be permitted to enter the United States without inspection under any provision of the immigration laws other than section 2 of the act of September 27, 1944 (58 Stat. 746; 8 U. S. C., Sup., 136 (d) (1)). (45 Stat. 401; 8 U. S. C. 226a)

**§ 114.7 Residence in contiguous territory by aliens who traveled on noncomplying line.** Where an alien has entered foreign contiguous territory by a transportation line not signatory to the agreement made pursuant to section 23 of the Immigration Act of 1917 (39 Stat. 892; 8 U. S. C. 160), and section 17 of the Immigration Act of 1924 (43 Stat. 163; 8 U. S. C. 217), with the intention, actually carried into effect, of taking up permanent residence in such foreign contiguous territory, and such arrival and the taking up of residence occurred at least two years prior to the time of making application for admission to the United States, the admissibility of such alien will not be destroyed merely by reason of temporary absence, without relinquishment of domicile, from such foreign contiguous territory subsequent to the time of taking up permanent residence therein. The term "foreign contiguous territory" as used in this section and as used in the two sections of law mentioned in this section means Mexico, Canada, Newfoundland, and the French islands of St. Pierre and Miquelon.

#### PART 115—ADMISSION OF AGRICULTURAL WORKERS UNDER SPECIAL LEGISLATION

##### Sec.

- 115.1 Definitions.
- 115.2 Qualifications for admission.
- 115.3 Fingerprinting; identification card; conditions and period of admission.
- 115.4 Extensions of period of admission.
- 115.5 Hearings before board of special inquiry.
- 115.6 Maintenance of status and deportation.
- 115.7 Duplicate identification cards.
- 115.8 Readmission after temporary visits to foreign contiguous territory.
- 115.9 Waiver of departure permit requirements.

**AUTHORITY:** §§ 115.1 to 115.9, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238, sec. 5 (g), 58 Stat. 14, as amended; 8 U. S. C. 102, 222, 458, 5 U. S. C. 1337, 50 U. S. C. App., Sup., 1355, 1351; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 115.1 Definitions.** As used in this part—

(a) The term "agricultural worker" means an alien, either male or female, who was born in North America, South America, Central America, or in any island adjacent thereto, who is residing in any of said places, and who desires to enter the United States for the purpose of engaging in agricultural labor as defined herein; or such an alien who, after so entering, is engaged in such labor.

(b) The term "agricultural labor" means services performed in the employ of any person, trust, estate, partnership, or corporation in connection with farming in all its branches and among other things includes the cultivation and tillage of the soil, dairying, the raising, production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (including crude gum (oleoresin) from a living tree and certain products as processed by the original producer of the crude gum (oleoresin) from which derived), the raising and shearing of livestock, bees, fur-bearing animals, poultry, or wildlife, and any practices (including any forestry or lumbering operations) performed by a farmer on a farm as an incident to, or in conjunction with such farming operations, including handling, drying, packing, freezing, grading, processing (if such service is performed as an incident to ordinary farming operations, or in the case of fruits and vegetables as an incident to the preparation of such fruits and vegetables for market), and including further the preparation for market, delivery to storage or to market or to carriers for transportation to market, and the operation, management, conservation, improvement, or maintenance of the tools and equipment used in connection therewith: *Provided, however,* That the foregoing shall not include services performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

(c) The term "enemy alien" means any native, citizen, subject, or denizen

## RULES AND REGULATIONS

of any country, state, or sovereignty with which the United States is at war or which the President by public proclamation has declared to have perpetrated, attempted, or threatened an invasion or predatory incursion against the territory of the United States. (Sec. 3 (f), 52 Stat. 1060, sec. 1426 (h), 53 Stat. 1386; 29 U. S. C. 203, 26 U. S. C. 1426)

**§ 115.2 Qualifications for admission.** Any agricultural worker who applies for admission into the United States under the provisions of the Farm Labor Supply Appropriation Act, 1944 (58 Stat. 11), and the provisions of this part must—

(a) Submit to the examining immigrant inspector an alien laborer's identification card (Form I-100) prepared prior to embarkation for the United States by the War Food Administrator or his duly authorized representative, or if not in possession of an alien laborer's identification card so issued, shall establish that he is seeking admission as one of a specific group of agricultural workers who are being recruited directly by an employer under conditions which have been approved by the district director of Immigration and Naturalization of the district in which the alien applies for admission;

(b) Submit to the examining immigrant inspector a birth certificate, or otherwise establish to the satisfaction of said immigrant inspector that he was born in the country of claimed nativity;

(c) Establish that he is not an enemy alien and that he is in all respects admissible under the provisions of the immigration laws except:

(1) The provisions of section 3 of the Immigration Act of February 5, 1917, relating to contract laborers, the requirements of literacy, and the payment of passage by corporations, foreign governments, or others;

(2) The provisions of section 3 of the Immigration Act of February 5, 1917, and section 1 of the act of March 4, 1929, requiring permission of the Attorney General to reapply for admission in the case of any alien previously arrested and deported or excluded and deported solely because of illegal entry or absence of required documents, if such deportation has not occurred on more than one occasion, and such alien establishes that he is otherwise entitled to temporary admission as an agricultural worker under the provisions of this part;

(3) The requirement of section 2 of the Immigration Act of February 5, 1917, relative to the payment of head tax;

(4) The prohibitions contained in sections 5 and 6 of the Immigration Act of February 5, 1917;

(5) The provisions of the laws and regulations relating to documents required of aliens entering the United States; and

(6) The provisions of Title III of the Alien Registration Act of 1940 relating to the registration of aliens.

(d) Satisfy the examining immigrant inspector that if admitted he will comply with the conditions of such admission. (Secs. 2, 3, 5, 6, 39 Stat. 875, 879, sec. 1, 45 Stat. 1551, 46 Stat. 41, Title III, 54 Stat. 673; 8 U. S. C. 132, 136, 139, 142, 180, 451)

**§ 115.3 Fingerprinting; identification card; conditions and period of admission.** Any alien found admissible into the United States under the provisions of this part shall—

(a) Be fingerprinted as follows:

(1) By placing prints of the right thumb and right index finger on the reverse side of the original Form I-100 prepared by the War Food Administrator or his duly authorized agent or, in cases not recruited by the Administrator, on the original of a Form I-100 prepared at the port of arrival by an officer of the Immigration and Naturalization Service;

(2) By placing complete fingerprints of both hands on one copy of Form AR-4; and

(3) By executing the obverse of Form AR-4 and placing thereon a stamped notation reading "Admitted as agricultural worker." The executed form shall be mailed direct to the Federal Bureau of Investigation, Washington 25, D. C.

(b) Be given the original alien laborer's identification card bearing his photograph, and stating his name, place of birth and citizenship, duly endorsed by an immigrant inspector to show the date, place, and period of his admission into the United States and signed by said immigrant inspector across the bottom of the photograph, partly on the photograph and partly on the card. In cases of aliens recruited by the War Food Administrator or his duly authorized representative the duplicate copy of said card shall be forwarded to the Administrator or to such representative. In cases recruited directly by employers the duplicate need not be executed. In all cases a triplicate copy of the card shall be completely executed and retained in the records of the Service at the port of the alien's entry. Fingerprints of the alien shall not be placed on the duplicate or triplicate cards but the triplicate shall contain the alien's signature, his place and date of birth, weight, height, and any visible distinctive marks.

(c) Be admitted for a fixed period, not exceeding one year, on condition that he continuously maintain the status of an agricultural worker and depart from the United States at the expiration of his admission or any extension thereof except that if he is a national of a country with whose government there exists an agreement with the Government of the United States regulating the importation of agricultural workers, then he shall be admitted for the period of the validity of his contract entered into pursuant to such agreement, but not exceeding one year, on condition that he maintain the status of an agricultural worker under terms of the contract and depart from the United States at the expiration of his admission or of any extension thereof.

**§ 115.4 Extensions of period of admission.** No extension of the temporary admission of any alien admitted under this part shall be granted without general or specific instructions from the Central Office.

**§ 115.5 Hearings before board of special inquiry.** Any alien seeking admission under this part in whose case the

examining immigrant inspector is not satisfied that such alien is admissible shall be held for hearing before a board of special inquiry and the procedure applicable to aliens seeking admission into the United States under the general provisions of the immigration laws shall be followed.

**§ 115.6 Maintenance of status and deportation.** (a) An alien admitted into the United States as an agricultural worker under the provisions of this part shall maintain the status of an agricultural worker during the entire time he remains in the United States pursuant to such admission and shall depart at the termination of the period for which he was admitted or of any extensions thereof.

(b) An alien admitted as an agricultural worker under the provisions of this part who fails to maintain the status under which he was admitted, or fails to depart from the United States in accordance with the conditions of his admission shall be deemed to be unlawfully in the United States and shall be taken into custody and deported in accordance with the applicable provisions of Part 150 of this chapter.

**§ 115.7 Duplicate identification cards.** A duplicate alien laborer's identification card may be issued in the discretion of the district director of Immigration and Naturalization of the district through which the alien agricultural worker entered the United States where the original has been lost or destroyed.

**§ 115.8 Readmission after temporary visits to foreign contiguous territory.** An agricultural worker who has been admitted under the provisions of this part may be readmitted after temporary visits to foreign contiguous territory on presentation of his alien laborer's identification card if he is still maintaining the status of an agricultural worker in the United States.

**§ 115.9 Waiver of departure permit requirements.** Any alien admitted to the United States under the provisions of this part shall not, when departing from the United States, be required to present a permit to depart issued under the provisions of Part 175 of this chapter.

## PART 116—CIVIL AIR NAVIGATION

Sec.

- 116.1 Regulation and supervision.
- 116.2 Scope and definitions.
- 116.3 Landing requirements.
- 116.4 Entry and clearance.
- 116.5 Entry of aircraft of scheduled air lines.
- 116.6 Clearance of aircraft of scheduled air lines.
- 116.7 Documents.
- 116.8 Documents for entry.
- 116.9 Documents for clearance.
- 116.10 Omission of lists of aliens employed on board aircraft.
- 116.11 Residue cargo; customs.
- 116.12 General provisions; customs.
- 116.13 Public health requirements.
- 116.14 General provisions; entry and clearance.
- 116.15 Penalties.
- 116.16 Airports of entry.
- 116.51 Inclusion of other regulations.
- 116.52 Aircraft; how considered.

Sec.  
 116.53 Airmen; how considered.  
 116.54 Inspection of aliens arriving by aircraft.  
 116.55 Deportation of aliens arriving by aircraft who are excluded.  
 116.56 Crew lists.  
 116.57 Manifests of passengers.  
 116.58 Preexamination in Canada of aircraft passengers.  
 116.60 Penalties.  
 116.61 Designation of airports of entry for aliens.  
 116.62 Withdrawal of designation of airport of entry for aliens.

AUTHORITY: §§ 116.1 to 116.16, inclusive, issued under R. S. 161, 251, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, secs. 7 (d), 11 (b), 11 (c), 44 Stat. 572, 574, 575, 48 Stat. 1116, 52 Stat. 1029, 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 5 U. S. C. 22, 8 U. S. C. 102, 222, 458, 49 U. S. C. 177 (d), 181 (b), (c), 5 U. S. C. 133t; 8 CFR, 90.1.

§ 116.1 *Regulation and supervision.* Sections 116.1 to 116.16,<sup>1</sup> inclusive, are prescribed by the Secretary of the Treasury, the Commissioner of Customs, the Surgeon General of the Public Health Service with the approval of the Federal Security Administrator, and the Attorney General, within their respective authorities, under the Air Commerce Act of 1926, as amended, sections 7 (b), (c), (d), 9 (b), and 11 (b) and (c) (44 Stat. 572; 49 U. S. C. 177 (b), (c), (d), 179 (b), 181 (b), (c)); the Tariff Act of 1930, section 644 (46 Stat. 761; 19 U. S. C. 1644); the Public Health Service Act, sections 215, 361-369 (58 Stat. 690, 703-706; 42 U. S. C., Sup., 216, 264-272); Reorganization Plan No. 3 of 1946, section 102 (11 F. R. 7875); and Reorganization Plan No. V of the President, section 1 (3 CFR, Cum. Supp., Ch. IV).

§ 116.2 *Scope and definitions.* For the purposes of the regulations contained in §§ 116.1 to 116.16, inclusive:

(a) Every paragraph and subparagraph relates to customs, public health, entry, clearance, and immigration, except where it applies only to certain of these matters, which is shown by headnote or context.

(b) The term "United States" when used in a geographical sense means the territory comprising the several States, Territories, possessions, and the District of Columbia, including the territorial waters thereof and the overlying airspace, but shall not include the Canal Zone.

(c) The term "area" shall mean any one of the following parts of the United States:

- (1) The mainland.
- (2) Alaska, but to be regarded as part of the mainland for immigration purposes.
- (3) Hawaii.
- (4) Puerto Rico.

<sup>1</sup> These regulations entitled "Air Commerce Regulations" appear under three designations, i. e., as §§ 6.1 to 6.11 of Title 19 (Customs Duties); §§ 11.501 to 11.516, Subpart K, of Title 42 (Public Health); and §§ 116.1 to 116.16 of Title 8 (Aliens and Nationality), Code of Federal Regulations.

(5) Virgin Islands, an area for the purpose of the immigration laws except as provided in further immigration regulations specifically mentioning those islands in 8 CFR, Part 116, but shall be regarded as foreign territory for other purposes.

(6) Such area as shall hereafter be specified to include possessions of the United States not mentioned herein.

These regulations shall not be applicable in the Philippine Islands, the Islands of Guam, Midway, American Samoa, Wake, Kingman Reef, and other insular possessions not specified herein, nor to the Virgin Islands, except as specified in subparagraph (5) of this paragraph, until notice supplementary thereto is given.

(d) The term "aircraft" means civil aircraft, that is, any aircraft not used exclusively in the governmental service of the United States or a foreign country, but includes any government-owned aircraft engaged in carrying persons or property for commercial purposes.

(e) The term "aircraft commander" means the person serving on the aircraft having charge or command of its operation and navigation.

(f) The term "scheduled air line" means any individual, partnership, corporation, or association engaged in air transportation upon regular schedules to, over, or away from the United States, or from area to area and holding a Foreign Air Carrier Permit or a Certificate of Public Convenience and Necessity issued pursuant to the Civil Aeronautics Act of 1938.

(g) The term "airport of entry" means any airport designated by the Secretary of the Treasury as a port of entry for aircraft arriving in the United States from any place outside thereof and for the merchandise carried on such aircraft; also by the Attorney General as a port of entry for aliens arriving on such aircraft; and by the Federal Security Administrator as a place for quarantine inspection.

§ 116.3 *Landing requirements.* (a) *Place of landing.* Every aircraft coming into any area from any place outside thereof shall land in such area unless exempted from this requirement by the Administrator of Civil Aeronautics, Washington, D. C. The first landing shall be at an airport of entry, unless permission to land elsewhere than at an airport of entry is first granted by the Commissioner of Customs, Washington, D. C., who, upon granting such permission, shall immediately notify the Surgeon General, Public Health Service, the Commissioner of Immigration and Naturalization, and any other agency affected thereby, except that permission to land in Alaska elsewhere than at an airport of entry may be granted to aircraft arriving from Canada, by the Collector of Customs at Juneau, Alaska, who upon granting such permission shall immediately notify the officer in charge of the Public Health Service, the Immigration and Naturalization Service, and any other agency affected thereby in Alaska. In cases where such permission is given, the owner, operator, or person in charge of the aircraft shall pay the additional expenses, if any, incurred in inspecting the aircraft, passengers, employees, mer-

chandise, and baggage carried therein. When such permission is granted to a scheduled air line to land aircraft operating on a schedule, no inspection charge shall be made except for overtime service performed by customs officers, and, if the aircraft arrives substantially in accordance with schedules on file with the immigration authorities, no inspection charge shall be made for overtime service by immigration officers.

(b) *Advance notice of arrival.* No aircraft coming into any area from any place outside thereof may land in such area unless notice of the intended flight has been furnished to the collector or deputy collector of customs at the airport of entry at or nearest the intended place of first landing in such area; nor unless the same notice has been furnished to the quarantine and the immigration officers in charge at or nearest such place. Such notice shall specify the type of aircraft, the registration marks thereon, the name of the aircraft commander, the place of last departure, the airport of entry, or other place at which landing has been authorized, number of alien passengers, number of citizen passengers, and the estimated time of arrival; and shall be sent so as to be received in sufficient time to enable the officers designated to inspect the aircraft to reach the airport of entry or such other place of first landing prior to the arrival of the aircraft. Such advance notice will not be required in the case of aircraft of a scheduled air line arriving in accordance with the regular schedule filed with the collector of customs for the district in which the place of first landing in the area is situated and also with the immigration officer in charge of such place.

(c) *Permission to discharge or depart.* No aircraft arriving in the United States from any place outside thereof, or in an area from another area carrying residue foreign cargo (see § 116.11) shall, without receiving permission from the quarantine and the customs officers in charge, depart from the place of landing, or discharge any merchandise, passengers, or baggage; and no aircraft arriving in the United States from any place outside thereof or in an area from another area, except directly from the mainland, shall discharge any passenger or employee without permission from the immigration officer in charge.

(d) *Emergency or forced landing.* Should any aircraft coming into the United States from any place outside thereof, or into any area from any other area, make a forced landing in the United States, the aircraft commander or operator shall not allow any merchandise or baggage to be removed from the landing place without permission of the customs and quarantine officers, nor allow any passenger or person employed thereon to depart from the landing place without permission of the quarantine and immigration officers, unless such removal or departure is necessary for purposes of safety or the preservation of life or property. As soon as practicable, the aircraft commander, or a member of the crew in charge, or the owner of the aircraft, shall communicate with the customs officer at the intended place of first

## RULES AND REGULATIONS

landing or at the nearest airport of entry or other customs port of entry in that area and also with the nearest quarantine officer and immigration officer and make a full report of the circumstances of the flight and of the emergency or forced landing. Mail carried as such may be removed from such aircraft upon making an emergency or forced landing, but if so removed shall be delivered at once to a responsible officer or employee of the Postal Service.

**§ 116.4 Entry and clearance.** (a) Aircraft coming into any area from any place outside the United States shall be entered (see § 116.8) in such area if landing is made therein. Aircraft coming into any area from another area shall be entered (see § 116.9 (e)) in such area if landing is made therein and if carrying merchandise or passengers.

(b) Entry shall be made by the aircraft commander at the airport of entry at which the first landing is made in the area. If, pursuant to § 116.3 (a), the first landing occurs at a place not an airport of entry, entry shall be made at the nearest airport of entry or customs port of entry, unless some other place is designated for that purpose by the Commissioner of Customs.

(c) Aircraft departing from any area for foreign territory, or to take aboard or discharge persons or merchandise anywhere outside the United States, or departing from any area for another area carrying passengers that must be listed in clearance declaration (§ 116.9 (b), (e)) or merchandise shall be cleared (see § 116.9) in the area from which departing. Clearance is not required of aircraft not carrying passengers for hire or merchandise, unless they are aircraft (piloted), both heavier and lighter than air, unassembled, assembled or dismantled; (a) classified from the standpoint of military security; or (b) especially designed for warlike purposes; or (c) having a weight empty greater than 35,000 pounds.

**CROSS REFERENCE:** See travel control regulations in 8 CFR Part 175, which prohibit in some cases the departure of persons from the United States and are enforced by immigration officers.

(d) The clearance shall be obtained by the aircraft commander at the customs port of entry (whether or not an airport of entry) at or nearest the place of last take-off from the area, unless some other place is designated for that purpose by the collector of customs.

(e) This section shall not apply to the entry of aircraft of scheduled air lines complying with the terms of § 116.5, nor to the clearance of such aircraft complying with the terms of § 116.6, nor to the clearance of any aircraft holding a permit issued by the Secretary of Commerce authorizing departure without clearance.

**§ 116.5 Entry of aircraft of scheduled airlines.** (a) Aircraft operated by scheduled air lines coming into the United States from any place outside thereof shall make entry in the area of first landing.

(b) Aircraft operated by scheduled air lines coming from one area into

another area shall make entry therein, if:

(1) Carrying to or over that area passengers that must be listed in clearance declaration (§ 116.9 (b), (e)); or

(2) Carrying residue cargo (§ 116.11); or

(3) Carrying merchandise in bond (19 CFR Part 18).

(c) Entry required by this section in an area shall be made by the aircraft commander at the place of landing provided for under § 116.3.

**§ 116.6 Clearance of aircraft of scheduled air lines.** (a) Aircraft operated by scheduled air lines departing for any place outside the United States may clear from the area of departure, but clearance shall be mandatory only during any period covered by a proclamation of the President that a state of war exists between foreign nations, or the aircraft is:

(1) Beginning a flight in that area; or

(2) Carrying from that area merchandise or such passengers as must be listed in clearance declaration (§ 116.9); or

(3) There are one or more aliens that must be listed on the part of clearance declaration relating to aliens employed (§ 116.9).

(b) Aircraft operated by scheduled air lines departing from any area for another area shall clear in the area from which departing, if:

(1) Carrying passengers that must be listed on clearance declaration (§ 116.9 (b), (e)); or

(2) Carrying merchandise.

(c) Clearance required by this section may be obtained by the aircraft commander at the customs port of entry (whether or not an airport of entry) at or nearest each place at which merchandise or passengers, or both, are taken aboard for discharge beyond the area. In such case the clearance shall be limited to the passengers and merchandise taken aboard at such place. Otherwise the clearance shall be obtained at the customs port of entry (whether or not an airport of entry) at or nearest the place of last take-off in the area unless some other place for clearance is designated by the collector of customs.

**§ 116.7 Documents.** (a) The forms described in §§ 116.8 and 116.9 shall be the primary documents required for entry and clearance of aircraft and the listing of passengers and merchandise carried thereon and aliens employed on board thereof. The forms to be used for the entry and clearance of the aircraft, passengers, crew members, and merchandise carried thereon, except the forms of air cargo manifest, air passenger manifest, passenger card, and immigration instruction sheet for aircraft, shall be forms approved by the Commissioner of Customs, the Commissioner of Immigration and Naturalization, and the Surgeon General. The form of air cargo manifest shall be approved by the Commissioner of Customs. The forms of air passenger manifest, passenger card, and immigration instruction sheet for aircraft shall be approved by the Commissioner of Immigration and Naturalization.

(b) The forms described in §§ 116.8 and 116.9, except the air passenger manifest, passenger card, and immigration instruction sheet for aircraft may be obtained from collectors of customs upon prepayment by the owner or operator of the aircraft. A small quantity of each of such forms shall be set aside by collectors of customs for free distribution or official use. The forms of air passenger manifest, passenger card, and immigration instruction sheet for aircraft may be obtained upon prepayment from the Superintendent of Documents, Government Printing Office, Washington, D. C. A small quantity of such forms shall be set aside by immigration officers in charge for free distribution and official use. The forms may be printed by private parties, provided the forms so printed conform to the official form in size, wording, arrangement, and quality and color of paper.

**§ 116.8 Documents for entry.** (a) At the time any aircraft arriving from outside the United States lands in any area in which making of entry is required by § 116.4 or § 116.5, the aircraft commander shall deliver an aircraft commander's general declaration in accordance with this section. Aircraft arriving in an area from another area shall deliver documents as specified by § 116.9 (e) and § 116.11.

(b) An aircraft commander's general declaration shall contain the following information:

(1) A crew manifest showing, as to each alien employed in any capacity on board the aircraft, name in full (family name, given name), full permanent address, age, sex, nationality, crew member's certificate number or passport number, country of issue, and date. The list is not required if the aircraft is not arriving from outside the United States or if it is arriving on a trip which originated in Canada, Newfoundland, or the French islands of St. Pierre and Miquelon, or if the information with respect to the crew is furnished in accordance with § 116.10.

(2) A passenger manifest or an air passenger manifest attached to the general declaration. In either case the manifest shall show, as to each passenger, name in full (family name, given name), full permanent address, age, sex, nationality, passport number and date, but if a passenger is a citizen of the United States and has no passport the manifest shall show the date, state, city or town in which the citizen was born if a citizen of the United States by birth, or if a citizen by naturalization the date, name of court, and place of naturalization. Additional facts as to each alien passenger shall be furnished on passenger cards except in the cases not required by the immigration instruction card for aircraft. On the card "point of embarkation" means place where trip on aircraft is begun by alien (not merely touched as a through passenger), and "race" means the same as on the alien passenger manifest required of a vessel. This subparagraph shall not apply to aircraft arriving on a trip which originated in Canada, Newfoundland, or the

French islands of St. Pierre and Miquelon.

(3) Cargo manifest either on the general declaration or on a separate form attached to the general declaration. The cargo manifest on the general declaration, properly executed, having airway bills/consignment notes attached will be acceptable if it bears a notation such as "Express as per airway bills attached" and shows the airway bill or consignment note number, if any. If the airway bills or consignment notes are not attached to the general declaration or to the separate forms of air cargo manifest, the full information required in the cargo manifest on the general declaration shall be furnished. Customs Form 5119 may be used in lieu of the cargo manifest if the merchandise or baggage consists of a single shipment and does not exceed one hundred dollars in value. (For rule applicable to arrival in an area from another area, see § 116.9 (e).)

(4) A report showing illness (other than airsickness) that has occurred aboard the aircraft during flight; details of last disinsection or sanitary treatment, including methods, place, date, and time; and a report of the animals, birds, insects, bacterial cultures, and viruses on board.

(5) Such other information and statements as are required on the general declaration form.

(c) The aircraft commander's general declaration required by this section shall consist of five copies with three copies of each attached air passenger manifest and three copies of each attached air cargo manifest. These documents shall be disposed of as follows:

(1) One copy of the general declaration and one copy of each air passenger manifest, immediately upon the arrival at the customs airport or other first place of landing in an area, shall be delivered by the aircraft commander to the immigration officer in charge at such airport or place with a passenger card in the case of each alien passenger as required by paragraph (b) (2) of this section.

(2) One copy of the general declaration and one copy of each attached air passenger manifest shall be delivered by the aircraft commander to the quarantine officer.

(3) Two copies of the general declaration, one copy of each attached air passenger manifest, and two copies of each air cargo manifest shall be delivered by the aircraft commander immediately to the customs officer in charge at such airport or place. One copy of the general declaration and one copy of each cargo manifest shall be retained by the aircraft commander and forwarded promptly by him to the comptroller of customs in whose district such airport or place is located.

(4) One copy of the general declaration and one copy of each attached air cargo manifest delivered to the customs officer shall be forwarded by him to the comptroller of customs above mentioned with appropriate notations thereon showing the disposition of the merchandise covered thereby. One copy of the general declaration delivered to the cus-

toms officer shall be retained by him as a record of the entry of the aircraft.

(5) With respect to transit crew and passengers, that is, such crewmen and passengers as do not move out of a special prescribed space at the airport or other place of landing, any and all copies delivered to the immigration officer, whether original or not, of the general declaration and attached air passenger manifests referred to in this section or in § 116.9 (e) (2) shall be returned by the immigration officer to the commander of the aircraft upon its departure from that airport or other place of landing, but this paragraph shall not apply in the mainland except with respect to an aircraft of a scheduled air line and such documents shall not be returned at the airport or place at which the last landing in such a case is made in the mainland.

(d) The provisions of section 466, Tariff Act of 1930, are applicable to any such aircraft of United States registry engaged in trade arriving in the United States, as defined in section 401 (k), Tariff Act of 1930, whether from a contiguous or noncontiguous foreign country, and a notation as to any equipment installed on any such aircraft or repairs made thereto in a foreign country shall be made in the aircraft journey log book, which shall set forth a general description of the equipment or repairs and a statement of the necessity therefor. The aircraft commander, on the first subsequent arrival of the aircraft in the United States, shall exhibit the journey log book to the customs officer at the port of arrival. Except as specified hereafter in this paragraph, such equipment and repairs shall be subject to entry and deposit of duty as prescribed by § 4.14 of Title 19. Entry and deposit of duty on such equipment or repairs shall not be required if (1) the aircraft belongs to a scheduled air line operating between the United States and foreign countries, (2) the aircraft commander executes and files with the entry of the aircraft an affidavit in the form set forth below, and (3) the collector is satisfied from an inspection of the journey log book and such further investigation as he may deem necessary that the facts with respect to the installation of the equipment and making of repairs were as set forth in such affidavit.

AFFIDAVIT RESPECTING EQUIPMENT PURCHASED  
FOR OR REPAIRS MADE TO UNITED STATES AIR-  
CRAFT WHILE IN A FOREIGN COUNTRY

District No. \_\_\_\_\_  
Port of \_\_\_\_\_  
Date \_\_\_\_\_

I, \_\_\_\_\_, the person in command of aircraft No. \_\_\_\_\_, flight No. \_\_\_\_\_, now entering from \_\_\_\_\_, declare that the installation of equipment and making of repairs noted in the journey log book of such aircraft exhibited herewith were necessary by reason of stress of weather or other casualty occurring since last leaving the United States and were required to secure the safety and airworthiness of the aircraft in accordance with Civil Aeronautics Administration regulations to enable the aircraft to continue its scheduled flight; or that the equipment installed and materials used in making the repairs were of the growth, produce, or manufacture of the United States and the work incident to such installation or repairs was performed by the

regular crew of the aircraft or by residents of the United States.

(Aircraft commander)  
Declared to under oath before me this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_\_.  
(Title or designation)

§ 116.9 *Documents for clearance.*  
(a) At the time of the departure of any aircraft from any area from which clearance is required by § 116.4 or § 116.6, the aircraft commander shall deliver:

(1) Shipper's export declarations on Commerce Form 7525 to the customs officer in charge for all cargo on the aircraft (also for the aircraft itself if being exported from the United States for foreign account), and

(2) An aircraft commander's general declaration in accordance with this section.

The above documents may be filed pro forma if the aircraft is departing from the United States and prior to departure a proper bond is given, and the completed documents are delivered pursuant thereto not later than the fourth day after departure, provided that during any period covered by a proclamation of the President that a state of war exists between foreign nations no aircraft shall be cleared for a foreign port until the shipper's export declarations have been filed with the customs officer in charge.

CROSS REFERENCE: For export of aircraft, see 22 CFR 201.35.

(b) The general declaration shall be on the same form as is required by § 116.8. Any air passenger manifest and any air cargo manifest delivered with the general declaration shall also be on the same forms as are required by § 116.8, with the following exceptions:

(1) Manifesting of members of crew may be omitted if they are departing from the mainland or Alaska, destined to Mexico, Canada, Newfoundland, St. Pierre, or Miquelon; or if information with respect to the crew is furnished as is required by § 116.10.

(2) The passenger manifest must state in column 5, in the case of an alien passenger, the date and place of last arrival in the United States. Manifesting of passengers is not required if they are departing from the mainland or Alaska, destined to Mexico, Canada, Newfoundland, St. Pierre, or Miquelon.

(c) The aircraft commander's general declaration required by this section, except as provided in paragraph (e) of this section, shall consist of the original and two copies, together with one copy of each attached air passenger manifest and one copy of each attached air cargo manifest. One copy of the general declaration and one copy of each air passenger manifest shall be filed promptly by the aircraft commander with the immigration officer in charge. One copy of the general declaration and one copy of each air cargo manifest shall be delivered by the aircraft commander to the customs officer in charge to be retained by him as a record of outward clearance.

(d) The original of the general declaration for departure from the United States shall constitute a clearance cer-

## RULES AND REGULATIONS

tificate when endorsed by the customs officer in charge to show that clearance is granted.

(e) Two additional copies of the general declaration shall be furnished by the aircraft commander when the clearance is to another area, together with two additional copies of each air passenger manifest and two additional copies of each attached air cargo manifest. One copy of the general declaration must have the endorsement of the customs officer in the area from which departing that permit to proceed is granted, but this requirement shall not apply unless the commander, owner, or operator of the aircraft and the customs officer in charge have been notified by the immigration officer that fines and liabilities under the immigration laws appear to have been incurred in connection with the aircraft and payment thereof has not been made or secured by sufficient deposit or bond. These copies and a passenger card concerning each alien passenger except in the cases not required by the immigration instruction card for aircraft shall upon arrival of the aircraft in the area to which cleared be disposed of by the aircraft commander as follows:

(1) One copy of the general declaration and one copy of each attached air passenger manifest and the passenger cards shall be delivered by the aircraft to the immigration officer at the place of entry for use there as a list of arriving passengers.

(2) One copy of the general declaration, one copy of each air passenger manifest, and two copies of each attached cargo manifest shall be delivered by the aircraft commander to the customs officer in charge at such place of entry. One copy of the air cargo manifest shall be retained by such officer as the coasting manifest.

**§ 116.10 Omission of lists of aliens employed on board aircraft.** The information required by §§ 116.8 and 116.9 as to aliens employed on board an aircraft may be omitted from the aircraft commander's entry and clearance declarations in the case of aircraft operated by a scheduled air line if its schedules and a list (on a form approved by the Commissioner of Immigration and Naturalization) of such information as to all aliens employed on board the aircraft have been filed by the operator of the aircraft with the immigration officer in charge at the airport of arrival (and at the airport of departure if other than the airport of arrival) shown on such schedules. From that list such officer shall keep as to each alien a card record on a form prescribed by the Commissioner of Immigration and Naturalization. Whenever an alien so listed shall be left in a hospital in the United States or ceases to be in the employ of the operator, the latter shall file with such immigration officer at such airport a report covering the date, place, and manner of leaving the alien in a hospital or the discontinuance of his employment. The name, place, and date of employment of any other or additional alien on board, for

inclusion in the list so filed, shall be reported promptly by the operator to such immigration officer at such airport.

**§ 116.11 Residue cargo; customs.** (a) Tariff Act of 1930, section 442 (19 U. S. C. 1442):

\* \* \* Any vessel arriving from a foreign port or place having on board merchandise shown by the manifest to be destined to a port or ports in the United States other than the port of entry at which such vessel first arrived and made entry may proceed with such merchandise from port to port or from district to district for the unloading thereof.

(b) Tariff Act of 1930, section 443 (19 U. S. C. 1443):

Merchandise arriving in any vessel for delivery in different districts or ports of entry shall be described in the manifest in the order of the districts or ports at or in which the same is to be unladen. Before any vessel arriving in the United States with any such merchandise shall depart from the port of first arrival, the master shall obtain from the collector a permit therefor with a certified copy of the vessel's manifest showing the quantities and particulars of the merchandise entered at such port of entry and of that remaining on board.

(c) Tariff Act of 1930, section 444 (19 U. S. C. 1444):

Within twenty-four hours after the arrival of such vessel at another port of entry, the master shall report the arrival of his vessel to the collector at such port and shall produce the permit issued by the collector at the port of first arrival, together with a certified copy of his manifest.

(d) *Merchandise destined beyond place of first landing.* Aircraft arriving in an area with merchandise on board from any place outside the United States destined to or through another area may proceed with such merchandise to the place of first landing in the other area under the procedure prescribed in paragraph (e) of this section, upon the giving of a bond on Customs Form 7567 or 7569. When such aircraft has on board no merchandise from any place outside the United States and if no bond on Customs Form 7567 or 7569 is on file covering such aircraft, but immediate clearance is requested, a bond on Customs Form 7301, "Bond of vessel or aircraft to produce complete manifest and/or export declarations," shall be required.

(e) *Documents.* An aircraft commander's entry declaration, as prescribed in § 116.8, shall be filed at the port of first arrival in the United States from any place outside thereof. Upon departure from such port of first arrival there shall be filed a manifest in duplicate of all foreign cargo then retained on board. For this purpose two additional copies of the outward manifest on the aircraft commander's clearance declaration, as prescribed in § 116.9, shall be used. These duplicate manifests, together with a copy of the complete inward manifest on the aircraft commander's entry declaration filed on arrival from the foreign port or place and certified by the properly authorized customs officer, with a certificate (Customs Form 3221, appropriately modified)

attached thereto, shall be furnished to the aircraft commander for deposit at the next port. Commerce Form 1385 shall not be used.

(f) *Cargo.* Except as specified in this section, the customs regulation requirements applicable to residue vessel cargo shall apply to residue aircraft cargo.

**CROSS REFERENCE:** For residue vessel cargo, see 19 CFR 4.85.

**§ 116.12 General provisions; customs.** Except as otherwise in these regulations provided (§§ 116.1 to 116.16, inclusive), aircraft arriving from contiguous foreign territory and the persons, merchandise, and baggage carried thereon shall be subject to the customs laws and regulations applicable to vehicles arriving from contiguous foreign territory; and aircraft, and the passengers and merchandise and baggage carried thereon, arriving from any other place outside the United States, shall be subject to the customs laws and regulations applicable to vessels so arriving, insofar as such laws and regulations are applicable to aircraft.

**§ 116.13 Public health requirements—**(a) *Release by Public Health Service.* When an aircraft subject to quarantine inspection in accordance with Subpart D, Part 11 of Title 42, arrives at an airport of entry or other place of first landing, the aircraft commander shall be responsible for the detention of the aircraft, its crew and passengers until they are released by the quarantine officer at the airport of entry or other place of first landing. Any mail, baggage, cargo, or other contents on board such aircraft shall be held at such airport or place until released by the quarantine officer. (For procedure in case of emergency or forced landing, see § 116.3 (d).)

(b) *Restrictions on boarding aircraft and contacting personnel.* Except with the permission of the quarantine officer, no person other than the quarantine officer and quarantine employees shall be permitted to board any aircraft subject to quarantine inspection or to have contact with the crew or passengers of such aircraft until quarantine inspection of the aircraft, crew, and passengers has been completed. The same restrictions as those imposed on the crew and passengers shall be imposed on a person boarding such aircraft or having contact with a passenger or member of the crew when the quarantine officer considers such contact a possible means of spreading a quarantinable disease.

(c) *Special sanitary treatment.* Any aircraft arriving from any foreign port or place which the quarantine officer declares to be of such menace that it cannot be adequately or safely handled at the airport of first or intended landing shall be required to proceed with all passengers and persons employed on board and all mail, baggage, cargo, or other contents on board, as may be designated by such officer, to an airport indicated by such officer to have adequate facilities for such treatment as shall be prescribed by him.

(d) *Disinsectization of aircraft.*<sup>2</sup> An aircraft bound for any port in the United States from any port in a region designated as a yellow fever area by the Surgeon General of the Public Health Service for the purposes of this part or from any other region where yellow fever may have appeared shall be disinsectized in all compartments not later than thirty minutes prior to landing. The insecticide used and method of disinsectization shall be those prescribed by the Surgeon General of the Public Health Service. When on arrival of an aircraft from any yellow fever region the quarantine officer, after inspection, determines that the aircraft has not been adequately disinsectized, the aircraft shall be kept tightly closed and disinsectization completed before discharge of passengers, crew, mail, baggage, cargo, or other material. No person other than quarantine officials shall be allowed on board until disinsectization is completed. Additional requirements for disinsectization of aircraft flying to or from certain regions may be prescribed by the Surgeon General of the Public Health Service when necessary to prevent the importation or spread of insect vectors of disease.

(e) *General provisions.* The regulations appearing elsewhere in Part 11 of Title 42 of the Code of Federal Regulations are applicable to aircraft and to passengers, merchandise, and baggage carried thereon, in the absence of express provision to the contrary.

§ 116.14 *General provisions; entry and clearance.* All navigation laws and regulations pertaining to the entry and clearance of vessels shall apply to civil aircraft to such extent and upon such conditions as are specified in these regulations (§§ 116.1 to 116.16, inclusive).

§ 116.15 *Penalties.* (a) Any person violating any customs regulation relating to aircraft or any provision of the customs laws or regulations made applicable to aircraft by § 116.12 shall be subject to a civil penalty of \$500, and any aircraft used in connection with any such violation shall be subject to seizure and forfeiture, as provided for in the customs laws. Such penalty and forfeiture may be remitted or mitigated by the Secretary of the Treasury.

(b) Any person violating any public health regulation relating to aircraft or any provision of the public health laws or regulations made applicable to aircraft by § 116.13 shall be subject to punishment by fine or imprisonment as provided for in section 368 (a) of the Public Health Service Act (42 U. S. C., Sup., 271 (a)). Any aircraft which violates any public health regulation relating to aircraft or any provision of the public health laws or regulations made applicable to aircraft by § 116.13 shall be sub-

ject to forfeiture as provided in section 368 (b) of the Public Health Service Act (42 U. S. C., Sup., 271 (b)). Such forfeiture may be remitted or mitigated by the Surgeon General with the approval of the Federal Security Administrator.

(c) Any person violating any of the provisions of these regulations (§§ 116.1 to 116.16, inclusive) relating to the entry and clearance of aircraft under the laws and regulations administered by the Secretary of Commerce shall be subject to a civil penalty of \$500 and any aircraft used in connection with any such violation shall be subject to seizure and forfeiture in accordance with the provisions of the Air Commerce Act of 1926, as amended. Such penalty and forfeiture may be remitted or mitigated by the Secretary of Commerce.

(d) For the penalty for any violation of these regulations (§§ 116.1 to 116.16, inclusive) relating to immigration, see further regulations in 8 CFR Part 116 applying immigration laws and regulations to civil air navigation.

(e) Liability to penalties with respect to any one of the sets of laws, that is, the customs laws, the public health laws, the entry and clearance laws, and the immigration laws, under which these regulations (§§ 116.1 to 116.16, inclusive) are prescribed, shall be separate from such liability with respect to any other set of such laws.<sup>3</sup>

§ 116.16 *Airports of entry.* (a) Airports of entry will be designated after due investigation to establish the fact that a sufficient need exists in any particular district or area to justify such designation and to determine the airport best suited for such purpose.

(b) A specific airport will be designated in each case, rather than a general area or district which may include several airports.

(c) The designation as an airport of entry may be withdrawn if it is found that the volume of business clearing through the port does not justify maintenance of inspection equipment and personnel, if proper facilities are not provided and maintained by the airport, if the rules and regulations of the Federal Government are not complied with, or if it be found that some other location would be more advantageous.

(d) Airports of entry shall be municipal airports, unless particular conditions which prevail warrant a departure from such requirement, and shall be possessed of a currently effective designation as a "Designated Landing Area" issued by the Administrator of Civil Aeronautics. Additional requirements may be imposed as the needs of the district or area to be served by the airport may demand.

(e) Airports of entry shall provide without cost to the Federal Government suitable office and other space for the exclusive use of Federal officials connected with the port. A suitable surfaced loading area shall, in each case, be provided by the airport at a convenient location with respect to such office space. Such loading area shall be reserved for

<sup>2</sup> At airports where the hazard of introducing disease-carrying insects exists, it is the policy of the United States Public Health Service to conduct "entomological surveillance" of the airport area. This surveillance consists of periodic entomological surveys carried on by entomologists or trained representatives for the purpose of the early detection and prompt eradication of any insect which may unknowingly have been introduced by aircraft.

<sup>3</sup> With respect to other laws and regulations relating to aircraft, inquiry may be made of the collector of customs.

the use of aircraft entering or clearing through the airport.

(f) Airports of entry shall be open to all aircraft for entry and clearance purposes and no charge shall be made for the use of said airports for such purposes. However, in cases where airports of entry authorize any such aircraft to use such airports for the taking on or discharging of passengers or cargo, or as a base for other commercial operations or for private operations, this paragraph shall not be interpreted to mean that charges may not be made for such commercial or private use of such airports.

(g) All aircraft entering or clearing through airports of entry shall receive the required servicing by airport personnel promptly and in the order of arrival or preparation for departure without discrimination. The charges made for such servicing shall in no case exceed the schedule of charges prevailing at the airport in question. A copy of said schedule of charges shall be posted in a conspicuous place at the office space provided for the use of Federal officials connected with the port.

(h) Airports of entry shall adopt and enforce observance of such requirements for the operation of airports, including airport rules, as may be prescribed or recommended by the Civil Aeronautics Administration.

§ 116.51 *Inclusion of other regulations.* The following sections of this part include as a part thereof the definitions in the preceding sections of this part and any amendments which may be made thereto.

§ 116.52 *Aircraft; how considered.* Aircraft arriving on a trip which originated in foreign contiguous territory, or departing destined thereto shall, for the purposes of the immigration laws and regulations, except as otherwise provided in this part, be regarded the same as other common carriers arriving or departing over the land borders. All other aircraft operating in foreign commerce or between areas of the United States shall for the purposes of the immigration laws and regulations be subject to the same requirements and liabilities as are vessels (operating on water) except as otherwise provided in this part or by statute specifically relating to aircraft. Aliens on aircraft arriving overland in foreign contiguous territory on journeys which did not begin outside of North or South America or islands belonging to countries or to political subdivisions of these continents shall not be held to be subject to section 23 of the Immigration Act of 1917 (8 U. S. C. 162) or section 17 of the Immigration Act of 1924 (8 U. S. C. 217). The term "foreign contiguous territory" as used in this section and as used in the two sections of law mentioned in this section means Mexico, Canada, Newfoundland, and the French islands of St. Pierre and Miquelon.

§ 116.53 *Airmen; how considered.* Any alien employed in any capacity on board an aircraft arriving in the United States from any place outside thereof shall be considered as a seaman, and the provisions of the immigration laws and

## RULES AND REGULATIONS

regulations applicable to vessels and alien seamen shall apply, except as otherwise provided in this part, to such aircraft and alien airmen. An alien whose occupational status as airman is established shall be regarded for the purposes of such laws and regulations, the same as an occupational alien seaman. In any case in which a seaman would be ordered detained on board, the airman may be released in such appropriate custody as in the opinion of the immigration officer in charge will insure the airman's prompt departure from the United States.

**CROSS REFERENCE:** For members of the crew of airships, see Part 177 of this chapter. For alien seamen, see Part 120 of this chapter. For head tax, see Part 105 of this chapter.

**§ 116.54 Inspection of aliens arriving by aircraft.** Any alien arriving by aircraft in any area from any foreign place or any take-off outside the United States or from any other area except the mainland shall not be considered as having legally entered the United States unless and until he has been inspected and lawfully admitted.

**§ 116.55 Deportation of aliens arriving by aircraft who are excluded.** Any alien excluded from admission to the United States shall be returned to the country or area of the United States (except the mainland) whence he came, at the expense of the owner, agent, lessee, or operator of the aircraft by which the alien came; and such owner, agent, lessee, or operator shall be liable for the expenses of detention and other expenses referred to in sections 15 and 18 of the Immigration Act of 1917, as amended (39 Stat. 885, 887, 45 Stat. 1551, 58 Stat. 816; 8 U. S. C. 151, 154), to the same extent as if the aircraft were a vessel operating on water.

**§ 116.56 Crew lists.** The provisions of section 36 of the Immigration Act of 1917 (39 Stat. 896; 8 U. S. C. 171) shall be complied with as required by § 116.8, § 116.9, or § 116.10 as to aliens employed on board any aircraft arriving in the United States from any place outside thereof and as to such aliens not on board at the time the aircraft departs from any such place and as to aliens leaving the United States as employees on an aircraft who were not such when it last arrived. Any failure to comply with any provision of this section shall constitute a violation of section 36, above, for each alien concerning whom there is such failure. Immigration lists containing the name of any employee shall be filed for permanent record.

**§ 116.57 Manifests of passengers.** The provisions of sections 12, 13, and 14 of the Immigration Act of 1917 (39 Stat. 882-884; 8 U. S. C. 148, 149, 150) shall be complied with as required by §§ 116.8 and 116.9 as to passengers arriving or departing on aircraft. Passengers carried between the Virgin Islands of the United States and Puerto Rico shall be listed only on the same declaration of aircraft commander as required for listing merchandise so carried. In every case the lists must be accompanied by information sheets as required by §§ 116.8 and 116.9.

Any failure to comply with the foregoing provisions of this section shall constitute a violation of section 14, above, for each person concerning whom there is such failure. Immigration lists containing the name of any passenger and the information sheets shall be filed for permanent record.

**§ 116.58 Preexamination in Canada of aircraft passengers.** The endorsement on forms issued by officers of the Immigration and Naturalization Service to persons preexamined in Canada who travel to the United States by aircraft shall be as prescribed in §§ 114.1-114.4 of this chapter, and the period of validity of said forms shall be as prescribed therein. Upon surrendering such properly endorsed forms at the airport of entry for aliens, the rightful holders will be admitted, provided their status has undergone no change between the time of issuance of the forms and the arrival of the holder at the airport of entry. The airport of entry at which persons preexamined in Canada actually enter the United States shall be the "record" port of entry for all purposes. Aliens excluded from admission to the United States upon preexamination in Canada shall be accounted for as heretofore by the office at which exclusion occurs.

**§ 116.60 Penalties.** (a) Any person who violates any provision of this part which relates to immigration shall be subject to the civil penalty of \$500 authorized by section 11 (b), Air Commerce Act of 1926, as amended (49 U. S. C. 181 (b)), except that where such offense in connection with an aircraft would be a violation of the immigration laws and general regulations if the aircraft were a vessel (operating on water), the penalty shall be the same as would apply in the case of a vessel.

(b) In the collection of the penalties the procedure prescribed in the general immigration regulations for the imposition and collection of fines (involving vessels) or for prosecutions under section 10 of the Immigration Act of 1917, as amended (39 Stat. 881, 43 Stat. 167; 8 U. S. C. 146), as the case may be, will initially be followed.

(c) Remission or mitigation of a penalty will be considered only in case of application therefor. If the deposit of the amount of the proposed penalty is not made with the collector of customs or acceptable bond is not furnished providing for the payment of such penalty, or so much thereof as may not be remitted or mitigated by the Attorney General, clearance of the aircraft shall be withheld by the collector of customs, and in case the violation is by the owner or person in command of the aircraft the penalty shall be a lien against the aircraft, which shall be seized by an immigration officer or inspector designated by the Attorney General and placed in the custody of the customs officer in charge at the airport of landing if seizure was made thereat. Similar action will be taken if seizure is made at any place other than an airport of landing. If the owner or owners of the airport and the seized aircraft are identical, the aircraft should, if practicable, be removed to another available hangar or other suit-

able place for storage. Seizure will not be made of any such aircraft apparently damaged beyond the recovery of the amount of the statutory penalty. Immediately after the authorized seizure, or prior thereto if circumstances permit, a full report in the case shall be submitted by the immigration officer in charge to the United States attorney for the district in which the seizure was made, for the possible further action prescribed by the statute. The report shall note the cost incurred in seizing and guarding the aircraft, and an estimate of the further cost likely to be incurred.

**§ 116.61 Designation of airports of entry for aliens.** Application for designation of an airport as a port of entry for aliens shall be made to the Attorney General and shall state whether the airport has been approved by the Secretary of Commerce as a properly equipped airport and has been designated by the Secretary of the Treasury as a port of entry for civil aircraft. An airport will not be designated by the Attorney General as an airport of entry for aliens without such prior approval and designation, and unless it appears to the satisfaction of the Attorney General that conditions render such designation necessary or advisable, and unless adequate facilities have been or will be provided thereat, without cost to the Federal Government, for the proper inspection and disposition of aliens, including office space and temporary detention quarters found necessary.

**CROSS REFERENCE:** For list of airports of entry for aliens, see § 110.3 of this chapter.

**§ 116.62 Withdrawal of designation of airport of entry for aliens.** The designation of an airport of entry as an airport of entry for aliens may be withdrawn whenever, in the judgment of the Attorney General, there appears just cause for such action.

## PART 118—ALIENS IN TRANSIT

Sec.	
118.1	Definition.
118.2	Admissibility of transit aliens; conditions.
118.4	Admissibility of transits; additional conditions.
118.5	Attendants; designation and expense.
118.6	Exclusion of aliens applying as transits.
118.7	Deportation of transits.

**AUTHORITY:** §§ 118.1 to 118.7, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 118.1 Definition.** Any alien who applies for admission to the United States with the intention of departing therefrom within 60 days, and who is admitted for a period not exceeding 60 days, shall be regarded as an "alien in transit." (Secs. 3, 15, 43 Stat. 154, 162, 47 Stat. 524, 607, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 203, 215)

**§ 118.2 Admissibility of transit aliens; conditions.** Any alien arriving at a port of the United States and applying for admission as a transit alien may be tem-

porarily admitted for a reasonable time not exceeding 60 days, for the purpose of such transit when it is satisfactorily established (a) that the alien is not an immigrant within the meaning of section 3 of the Immigration Act of 1924 (43 Stat. 154, 47 Stat. 607, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 203); (b) that he will depart from the United States within 60 days; (c) that he is not a member of any one of the excluded classes, except excludable aliens whose temporary admission has been authorized in advance by the Attorney General; and (d) that he does not seek such transit privilege for the purpose of evading or violating any of the provisions of the immigration laws. (Sec. 15, 43 Stat. 162, 47 Stat. 524, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 215)

**§ 118.4 Admissibility of transits; additional conditions.** The Attorney General or the officer in charge may (a) require that the alien shall be accompanied while in transit by a sufficient number of immigration officers and guards or attendants as will insure his passage through and out of the United States without unnecessary delay, and (b) exact a bond in a sum not less than \$500 conditioned that the alien shall by continuous transit pass through and out of the United States within a reasonable time, not exceeding 60 days, thereafter. (Sec. 15, 43 Stat. 162, 47 Stat. 524, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 215)

**§ 118.5 Attendants; designation and expense.** The accompanying immigration officials provided for in § 118.4 shall be designated and detailed for such purpose by the officer in charge at the port of arrival, and upon request of such officer in charge the transportation company or companies interested shall at their own expense furnish guards or attendants, in such number as shall be required by such officer, to assist such immigration officials, and such guards or attendants shall be under the immediate control and direction of such accompanying immigration officials during the time such alien is in transit through the United States: *Provided*, That all necessary expense incurred by such accompanying immigration official or officials and such guards or attendants, including their transportation to and from the place where such alien departs from the United States, shall be paid by such interested transportation company or companies. (Sec. 15, 43 Stat. 162, 47 Stat. 524, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 215)

**§ 118.6 Exclusion of aliens applying as transits.** Any alien arriving at a port of the United States and applying for admission as a transit alien shall, if found to be a member of any one of the excluded classes, be refused permission to enter, in the same manner as an immigrant alien. Cases where refusal of the transit privilege would entail excessive hardship may be reported to the Central Office for a special ruling. (Secs. 16, 17, 39 Stat. 885, 887; 8 U. S. C. 152, 153)

**§ 118.7 Deportation of transits.** Any alien temporarily admitted to the United

States as a transit alien who shall fail or refuse to pass through and out of the United States within the time fixed or allowed, or who shall be found within the United States after the expiration of such time, shall be deemed to be unlawfully within the United States and shall on warrant of the Attorney General be taken into custody and deported as provided in section 14 of the Immigration Act of 1924. (Sec. 14, 43 Stat. 162; 8 U. S. C. 214)

#### PART 120—ALIEN SEAMEN

Sec.

- 120.1 Alien seaman defined.
- 120.2 *Bona fide alien seaman* defined.
- 120.3 Arriving from any foreign port or place defined.
- 120.4 Foreign defined.
- 120.5 Arrival in ports defined.
- 120.6 Reasonable time defined.
- 120.7 Listing of alien seamen.
- 120.8 Listing of aliens employed on vessel; manner of; forms.
- 120.9 Listing of alien employees; term "first" to be used.
- 120.10 List of arriving seamen; to whom delivered; changes, how reported.
- 120.11 Crew list; notation of treatment during voyage.
- 120.12 Lists of alien employees; when clearance of vessel denied.
- 120.13 Illegal landing of alien; notice.
- 120.14 Seaman's identification card; application.
- 120.15 Seaman's identification card; qualifications.
- 120.16 Seaman's identification card; execution of; disposition of duplicate.
- 120.17 Primary inspection of seamen.
- 120.18 Seaman previously excluded; when instruction to be sought.
- 120.19 Alien seaman previously deported or removed; not permitted to land except under certain conditions.
- 120.20 Alien seamen seeking entry as immigrants.
- 120.21 Alien seamen seeking entry in pursuit of calling; when ordered detained; waiver of crew list visa.
- 120.22 Medical examination of alien seamen required.
- 120.23 Medical examination of alien seamen; by whom conducted; removal of seamen at later port.
- 120.24 Medical examination of alien seaman; mandatory exclusion; right of appeal.
- 120.25 Medical certificates as to seamen; form; content; to whom delivered.
- 120.26 Afflicted seamen; treatment; notice of liability to master.
- 120.27 Afflicted seamen; when landing permitted; when treated at vessel's expense.
- 120.28 Afflicted seamen; procedure.
- 120.29 When clearance of vessel withheld; procedure.
- 120.30 Afflicted seamen; when discharged from hospital; further procedure.
- 120.31 Afflicted seamen; procedure where recovery not certifiable at expiration of 30 days.
- 120.32 Afflicted seamen; periodic check concerning.
- 120.33 Violations of act providing for treatment of alien seamen to be promptly reported.
- 120.34 Detention of seamen pending inspection.
- 120.35 Notice to detain or deport alien employee of vessel; verification of departure.
- 120.36 Detained seamen; when removal permitted.
- 120.37 Arrest and deportation of seamen; procedure.

Sec.

- 120.38 Seamen returned to the United States by American consuls.
- 120.39 Shipwrecked or castaway seamen.
- 120.40 Alien seamen who were members of the crew of an American vessel which has been sold or delivered abroad who are being returned to the United States as passengers or workaways in accordance with the terms of the contract of employment of the outbound voyage or the laws of the United States.
- 120.42 Disabled seamen; conditions for passing in transit; immigration officials to confer with appropriate officers.
- 120.43 Afflicted seamen; expense of telegrams concerning.

**AUTHORITY:** §§ 120.1 to 120.43, inclusive, issued under sec. 23, 39 Stat. 882, sec. 24, 43 Stat. 186, sec. 37 (a), 54 Stat. 675, sec. 1, 43 Stat. 1288; 8 U. S. C. 102, 222, 458, 5 U. S. C. 1337; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 120.1 Alien seaman defined.** The term "alien seaman" shall include every alien signed on the ship's articles and employed in any capacity on board any vessel arriving in the United States from any foreign port or place. Only such aliens who come within this definition shall be treated in the special manner specified in this part. (Sec. 1, 39 Stat. 874; 8 U. S. C. 173)

**§ 120.2 *Bona fide alien seamen* defined.** As used in section 3 (5) of the Immigration Act of 1924 (43 Stat. 154; 8 U. S. C. 203), the term "bona fide alien seaman" means any alien who in good faith is signed on the articles of a vessel arriving at a port of the United States from any place outside thereof, employed in any capacity on board such vessel, and seeking to enter the United States temporarily solely in the pursuit of his calling as a seaman, with the intention of departing with the vessel or reshipping on board any other vessel for any foreign port or place.

**§ 120.3 Arriving from any foreign port or place defined.** "Arriving in the United States from any foreign port or place" means arriving in "the United States, and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone," from any port or place in a foreign country or in the Canal Zone (secs. 1, 19, 31, and 33 to 36 of the Immigration Act of February 5, 1917 (39 Stat. 874 ff.); 8 U. S. C. 173, 155, 165, 166, 168, 169, 171). Ports of the Isthmian Canal Zone shall be deemed foreign ports, and any vessel entering and clearing from any such ports shall be subject to all the immigration laws and regulations applicable to vessels arriving in the United States from any foreign port or place.

**§ 120.4 Foreign defined.** In the expression "reship foreign" and similar expressions used in this part, the word "foreign" includes the Canal Zone in all cases. (Sec. 1, 39 Stat. 874; 8 U. S. C. 173)

**§ 120.5 Arrival in ports defined.** The expression "arrival in ports of the United States" (act of December 26, 1920 (41 Stat. 1082; 8 U. S. C. 170)) shall be taken to mean arrival at ports in the United States from a foreign port or place. If a vessel arrives foreign at a port of the

## RULES AND REGULATIONS

United States and later on the same voyage touches at other ports of the United States, she will for the purpose of this definition be regarded as arriving foreign at such other ports.

§ 120.6 *Reasonable time defined.* The expression "reasonable time" (act of December 26, 1920 (41 Stat. 1082; 8 U. S. C. 170)) shall be regarded in no instance as a period exceeding 30 days. What shall constitute a "reasonable time" within a period of 30 days will be left to the determination of the officer in charge of the port, which determination shall be based upon a consideration of the views of the appropriate medical officer in charge of the hospital (evidenced by a certificate), as well as all the facts presented in and the circumstances attendant upon each individual case.

§ 120.7 *Listing of alien seamen.* Arriving and departing seamen shall be listed on the blank forms hereinafter provided for in accordance with the terms of section 36 of the act of February 5, 1917 (39 Stat. 896; 8 U. S. C. 171). When an arriving seaman is a "workaway," a notation to that effect should be made upon the list.

§ 120.8 *Listing of aliens employed on vessel; manner of; forms.* The lists provided for by section 36 of the act of February 5, 1917 (39 Stat. 896; 8 U. S. C. 171), to be delivered upon arrival, containing the names of all aliens employed on the vessel and other information concerning them, shall be typewritten or printed in the English language on white commercial ledger paper 18½ by 36 inches, basis 50 pounds, in sheets 18 by 18 inches, and according in every respect to Form I-480 now in use and approved by the Commissioner of Immigration and Naturalization, or in such form or forms as may hereafter be prescribed: *Provided*, That such lists may be written in longhand whenever it is impracticable to typewrite or print them: *Provided further*, That such lists may be furnished on Form I-481 in the cases of vessels of United States, Canadian, or British registry, enrollment, or license engaged solely in traffic between the United States and Canada and traveling solely over one or more of the following waterways: Great Lakes, waterways connecting the Great Lakes, St. Lawrence River, St. Croix River, Passamaquoddy Bay, Lake Memphremagog, Lake Champlain, Rainy Lake, Rainy River, and Lake of the Woods. The statement of the master of the vessel regarding changes in the crew as provided for by said section 36, which is to be made prior to departure, shall be typewritten or printed in the English language on white writing paper 21 by 32 inches, basis 43 pounds, and 100 percent rag, in sheets 16 by 10½ inches, and folded once and according in every respect to Form I-489 now in use and approved by the Commissioner of Immigration and Naturalization, or in such form or forms as may hereafter be prescribed. The forms herein provided for shall be furnished by the owner, agent, consignee, or master of the vessel having such aliens on board at the expense of such owner, agent, consignee, or master

and according to the specifications herein set out.

§ 120.9 *Listing of alien employees; term "first" to be used.* In preparing Form I-480 the owner, agent, consignee, or master of any vessel arriving in the United States from any foreign port or place shall insert the word "first" before the name of each alien seaman who was not employed on such vessel on her last preceding voyage to the United States. (Sec. 36, 39 Stat. 896; 8 U. S. C. 171)

§ 120.10 *List of arriving seamen; to whom delivered; changes, how reported.* When a vessel calls at several United States ports the list of arriving seamen, required by section 36 of the Immigration Act of 1917 (39 Stat. 896; 8 U. S. C. 171), shall be delivered to the official in charge at the port of arrival, who will give his receipt therefor to the master; the report of illegal landings required by said section shall be made to the official in charge at the port of arrival or call where the illegal landing occurs; and the list of departing, deserted, and landed seamen required by said section shall be delivered to the official in charge at each port of call. The official in charge at any port of call or final clearance foreign shall promptly notify the official in charge at the port of initial entry (where the incoming crew list is filed) of any and all changes occurring in the crew of any vessel subsequent to departure from such initial port of arrival; and such report shall be filed with the crew list to which it refers.

§ 120.11 *Crew list; notation of treatment during voyage.* When any alien member of the crew shall have been treated or furnished with medicine during the voyage for any of the diseases or disabilities specified in section 35 of the Immigration Act of 1917 (39 Stat. 896; 8 U. S. C. 169), the master or other officer of the vessel shall make notation of such fact in the appropriate column of the crew list opposite the name of the seaman receiving such treatment or medicine.

§ 120.12 *Lists of alien employees; when clearance of vessel denied.* Clearance shall not be granted any vessel until the lists required by section 36 of the Immigration Act of 1917 (39 Stat. 896; 8 U. S. C. 171) have been furnished, and not then unless notice of liability to the administrative fine prescribed by said section or to that prescribed by section 35 of said act (39 Stat. 896; 8 U. S. C. 169) having been served, the deposit specified in §§ 160.13-160.17 of this chapter has been made.

§ 120.13 *Illegal landing of alien; notice.* The notice required by section 36 of the Immigration Act of 1917 (39 Stat. 896; 8 U. S. C. 171) to be furnished regarding any alien who may have "illegally landed" while the vessel has been in port should consist of a letter reporting the fact and giving the name, number of identification card, nationality, and description of the alien and "any information" within the knowledge of the master or officers of the ship or transportation line "likely to lead to his apprehension."

§ 120.14 *Seaman's identification card; application.* An alien who has been lawfully admitted to the United States for permanent residence, who intends to follow or continue following the calling of a seaman in the coastwise trade or on American passenger vessels operating under subsidy in accordance with the Merchant Marine Act, 1936 (49 Stat. 1985), and who has not been issued an immigrant identification card, or a certificate of registry, or who has not, subsequent to June 30, 1929, declared his intention to become a citizen of the United States, may file an application (Form I-198) for a seaman's identification card as evidence of his status as an alien who has been lawfully admitted to the United States for permanent residence.

§ 120.15 *Seaman's identification card; qualifications.* A seaman's identification card (Form I-199) shall be issued by the immigration and naturalization officer in charge to an applicant only upon the submission of satisfactory evidence that the applicant (a) is an alien who was lawfully admitted to the United States for permanent residence; (b) intends to follow or continue following the calling of seaman in the coastwise trade or on American passenger vessels operated under subsidy in accordance with the Merchant Marine Act, 1936 (49 Stat. 1985); and (c) has not been issued an immigrant identification card, a certificate of registry, or did not, subsequent to June 30, 1929, declare his intention to become a citizen of the United States.

§ 120.16 *Seaman's identification card; execution of; disposition of duplicate.* In order that such seaman's identification card may not be transferred from one person to another, a photograph of the alien shall be attached thereto and the impress of the seal of the Immigration and Naturalization Service made partly on the photograph and partly on the card. In addition, the signature of the issuing officer shall be written partly on the card and partly on the photograph. A duplicate of every seaman's identification card issued shall be transmitted to the Commissioner of Immigration and Naturalization, Washington, D. C.

§ 120.17 *Primary inspection of seamen.* In addition to the medical examination hereinafter provided for, all seamen arriving in ports of the United States shall be regularly inspected by immigrant inspectors. (Sec. 16, 39 Stat. 885; 8 U. S. C. 152)

§ 120.18 *Seaman previously excluded; when instruction to be sought.* Whenever it is ascertained that a seaman applying for either permanent or temporary admission belongs to the excluded class (section 3 of the Immigration Act of 1917, as amended by the act of March 4, 1929, 39 Stat. 875, 1 (d), 45 Stat. 1551; 8 U. S. C. 136 (j), (q)), "Persons who have been excluded from admission and deported in pursuance of law, and who may again seek admission within one year from the date of such deportation, unless prior to their reembarkation at a

place outside the United States or their attempt to be admitted from foreign contiguous territory the Attorney General had consented to their reapplying for admission," the case shall promptly be brought to the attention of the Department with request for instruction. (Sec. 19, 43 Stat. 164; 8 U. S. C. 166)

**§ 120.19 Alien seaman previously deported or removed; not permitted to land except under certain conditions.** It shall be the duty of the inspector to order detained on board, in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1924 (43 Stat. 164, 58 Stat. 817; 8 U. S. C. and Sup., 166, 167), (a) any alien seaman who has been heretofore or is hereafter arrested and deported in pursuance of law and is found employed on any vessel arriving in the United States, unless he has obtained from the Attorney General, in conformity with law, permission to reapply for admission and arrives at least one year after the date of deportation; and (b) any alien seaman found subject to exclusion from admission to the United States under section 23 of the Immigration Act of 1917, as amended by the act of May 14, 1937 (39 Stat. 892, 50 Stat. 164; 8 U. S. C. 102), because he was removed from the United States subsequent to May 13, 1927, in the manner provided in the last mentioned statutes, unless permission to apply for readmission has been granted to such alien by the Secretary of State and the Attorney General. In emergent cases seamen covered by this section may be accorded hospital treatment as provided in the regulations relating to seamen. (Sec. 1 (a), (b), (c), 45 Stat. 1551, 46 Stat. 41, sec. 7, 47 Stat. 166; 8 U. S. C. 180, 181)

**§ 120.20 Alien seamen seeking entry as immigrants.** (a) An alien seaman seeking to enter the United States as an immigrant under any provision of law other than section 4 (b) of the Immigration Act of 1924 shall be subject to all the laws, regulations, and Executive orders applicable to immigrants generally.

(b) An alien seaman who, previously, has been lawfully admitted for permanent residence and who is returning to an unrelinquished domicile in the United States may, if otherwise admissible, be permitted to enter as a returning resident under section 4 (b) of the said act without a nonquota immigration visa or re-entry permit if the name of such alien appears on the crew list of the vessel on which he arrives and is included in the visa thereof, if such visa is required under any applicable Executive order prescribing the necessity for crew list visas. If the name of such an alien is not included in a required crew list visa, his case shall be submitted to the Central Office for consideration of obtaining a waiver of the documentary requirements for entry. (Sects. 4 (b), 13, 43 Stat. 155, 161; 8 U. S. C. 204 (b), 213)

**§ 120.21 Alien seamen seeking entry in pursuit of calling; when ordered detained; waiver of crew list visa.** (a) Any alien who upon arrival establishes that he is a bona fide seaman as defined in § 120.2, is admissible as a nonimmigrant under section 3 (5) of the Immigration

Act of 1924 and is not inadmissible under the other provisions of this part and of Part 175, may be temporarily admitted for such period of time as the examining immigrant inspector shall designate, not to exceed, however, the time the vessel on which the alien arrives remains in the United States and in no event to exceed 29 days, if:

(1) His name appears on the duly visaed crew list of the vessel on which he arrives, unless such vessel is excepted from the requirement of submitting a visaed crew list under the applicable Executive order and regulations prescribing the requirements for crew list visas; and

(2) He is in possession of a passport, or some other document in lieu thereof, which is acceptable under the applicable Executive order and regulations prescribing the documents required of alien seamen and which satisfactorily establishes his identity and nationality.

(b) Extensions of such a temporary admission may be granted by the officer in charge at the port of arrival if exceptional circumstances exist which justify such extensions, but the officer in charge shall in no event grant an extension or extensions which will authorize the alien seaman to remain in the United States for a period more than 90 days after his arrival. Any request for an extension beyond that period shall be referred to the Central Office for decision. No extension of the period of an alien seaman's admission which will permit him to remain in the United States for 30 days or longer shall be granted until he has been registered and fingerprinted in accordance with the applicable provisions of Part 170 of this chapter.

(c) The period of temporary admission of any seaman admitted for the period of time the vessel on which he arrives remains in the United States shall be deemed to be terminated if such vessel fails to depart to a foreign port or place within 29 days after its arrival at the port where the seaman was admitted, unless an extension of the alien's period of admission beyond 29 days from the date of the arrival of the vessel has been granted.

(d) An alien seaman whose name is not included in the visa of an alien crew list, or who is not in possession of an acceptable passport or document in lieu thereof, may nevertheless be admitted temporarily if otherwise entitled to such admission, if permission of the Secretary of State is obtained.

(e) Where the immigration officer is not satisfied that an alien applying for temporary admission as a bona fide alien seaman is entitled thereto, the immigration officer shall order the owner, charterer, agent, consignee, or master of the vessel on which such seaman arrived to detain him on board and deport him in the manner provided by law. (Sec. 33, 39 Stat. 896, secs. 3 (5), 14, 15, 20, 43 Stat. 154, 162, 164, 47 Stat. 524, 58 Stat. 817, sec. 32 (c), 54 Stat. 674; 8 U. S. C. and Sup., 168, 203, 214, 215, 167, 453)

**§ 120.22 Medical examination of alien seamen required.** All alien seamen arriving in ports of the United States shall be medically examined, as far as practicable, aboard ship each time they arrive. Such examination shall be simi-

lar to that made in cases of alien passengers. (Sec. 16, 39 Stat. 885, 58 Stat. 714, 60 Stat. 1049, sec. 20 (a), 43 Stat. 164, 58 Stat. 817; 8 U. S. C. and Sup., 152, 167 (a))

**§ 120.23 Medical examination of alien seamen; by whom conducted; removal of seamen at later port.** Physical and mental examination of alien seamen shall be conducted by physicians of the Public Health Service, and, when practicable, immediately upon arrival from a foreign port or place of a vessel at a port of the United States: *Provided*, That if a vessel so arriving should later, on the same voyage, proceed coastwise, any "afflicted seaman" or alien suspected of being an "afflicted seaman" then aboard, whose disability was not detected upon arrival foreign, may be removed for treatment or observation thereafter upon touching at another port of the United States, in the manner provided for and under the conditions applicable to such cases generally. (Sec. 16, 39 Stat. 885, 58 Stat. 714, 60 Stat. 1049, sec. 20 (a), 43 Stat. 164, 58 Stat. 817, 41 Stat. 1082; 8 U. S. C. and Sup., 152, 167 (a), 170)

**§ 120.24 Medical examination of alien seaman; mandatory exclusion; right of appeal.** If any such seaman shall be found, as the result of examination on board or elsewhere, to be afflicted with any mental defect or physical disease or affection which by operation of the certificate alone places him within any class of aliens mandatorily excluded by section 3 of the Immigration Act of 1917 (39 Stat. 875; 8 U. S. C. 136), he shall be so certified, and shall be allowed to appeal to a board of surgeons, and, in mental cases, to introduce an expert witness of his own choice before such board, if he so desires, the time and place of the convening of the board to be fixed by the medical officer in charge. (Sects. 16, 34, 39 Stat. 885, 896, 58 Stat. 714, 60 Stat. 1049, secs. 19, 20 (a), 43 Stat. 164, 58 Stat. 817; 8 U. S. C., and Sup., 152, 166, 167 (a))

**§ 120.25 Medical certificates as to seamen; form; content; to whom delivered.** A separate certificate shall be issued by the medical examiner conducting the examination as to each and every "afflicted seaman" or alien seaman suspected of being an "afflicted seaman," which certificate shall conform generally to medical certificates customarily rendered in respect to mentally or physically defective alien applicants for admission or alien applicants suspected of being so defective. These certificates shall in every case of disability, the nature of which is definitely ascertained, state whether the same can likely be cured within 30 days. Certificates rendered in suspected cases will state, when the circumstances permit, the nature of the disability suspected and approximately the period of observation believed necessary to final determination of the nature of the disability. When practicable, medical certificates shall be rendered as soon as examination of the crew is completed and at once delivered to the immigration boarding officer or in his absence to the officer in charge of the port. (Sec. 35, 39 Stat. 896, 41 Stat. 1082; 8 U. S. C. 169, 170)

## RULES AND REGULATIONS

**§ 120.26 Afflicted seamen; treatment; notice of liability to master.** An alien afflicted with idiocy, imbecility, insanity, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease who is employed on board any vessel, including vessels of American registry operating between a port of the United States and a port of a foreign country, shall, upon arrival at the first or subsequent ports in the United States, be detained and treated in a hospital under supervision of the proper immigration official at the expense of the vessel bringing such alien to the United States. In the case of any such vessel carrying passengers where the medical officer certifies that such alien was so afflicted at the time he was shipped or engaged and taken on board such vessel and that the existence of such affliction might have been detected by means of a competent medical examination at such time, the official in charge at the port of arrival shall serve or cause to be served on the owner, agent, consignee, or master of such vessel a notice in writing that liability for the fine imposed by section 35 of the Immigration Act of 1917 (39 Stat. 896; 8 U. S. C. 169) has been incurred in respect of each alien so certified. (41 Stat. 1082; 8 U. S. C. 170)

**§ 120.27 Afflicted seamen; when landing permitted; when treated at vessel's expense.** No seaman afflicted with idiocy, imbecility, insanity, epilepsy, tuberculosis in any form, or a loathsome contagious or dangerous contagious disease shall be permitted to land permanently in a port of the United States, and a seaman so afflicted shall be permitted to land temporarily only in the event that he is entitled to receive, or the circumstances are such as to require for humane or sanitary reasons that he shall be afforded treatment in either a public-health or other hospital. (Section 35 of the Immigration Act of 1917, and section 19 of the Immigration Act of 1924, 39 Stat. 896, 43 Stat. 164; 8 U. S. C. 169, 166.) If a certificate requiring the vessel to be fined is issued in accordance with section 35 of the Immigration Act of 1917, the seaman shall be detained and treated in a hospital designated by the official in charge "at the expense of the vessel." (41 Stat. 1082; 8 U. S. C. 170)

**§ 120.28 Afflicted seamen; procedure.** An "afflicted seaman" or alien seaman suspected of being an "afflicted seaman" arriving foreign and duly certified shall be ordered by the examining immigration officer immediately removed for hospital treatment or observation, as the case may be, which order shall, in the case of an "afflicted seaman" designate the hospital, and in the case of an alien suspected of being an "afflicted seaman" the immigration station or other appropriate place to which removal shall be effected: *Provided*, That in the event appropriate facilities for treatment or observation, as the case may be, are not available, removal from vessel will not be ordered except in emergency cases so certified by a Public Health surgeon; instead, the examining immigration officer will serve notice on the master, agent, owner, or consignee of the vessel

to detain such "afflicted seaman" or alien suspected of being an "afflicted seaman" on board the vessel, and the officer in charge will notify the officer in charge at the first port of call possessing such facilities (if the vessel is proceeding coastwise) of the presence on said vessel of said alien. The latter official will proceed in the manner hereinbefore provided upon the arrival of the vessel at such port of call to have the alien removed for hospital treatment or observation, as the case may require. If the vessel bringing an "afflicted seaman" or alien suspected of being an "afflicted seaman" arrives at a port at which there are no proper facilities for hospitalization or observation, as the case may be, and no arrangements for hospitalization or observation elsewhere are practicable, and such vessel is not proceeding coastwise to a port possessing such proper facilities or is proceeding directly foreign, then the master, agent, owner, or consignee shall be served with notice to detain such "afflicted seaman" or alien suspected of being an "afflicted seaman" safely on board under proper treatment and conditions of segregation or observation until such vessel sails foreign. (Sec. 35, 39 Stat. 896, 41 Stat. 1082; 8 U. S. C. 169, 170)

**§ 120.29 When clearance of vessel withheld; procedure.** Vessels liable for expenses of hospitalization or observation, and for expenses incident thereto, will not be permitted to clear until all such expenses, including those of burial in the event of death, are paid or satisfactorily guaranteed. Guaranties of payment may be accepted by the officer in charge of the port when submitted in form and by guarantors satisfactory to him. In the event of the failure of the master, agent, owner, consignee, or other responsible person to pay such expenses, or to furnish such satisfactory guaranty, the officer in charge of the port shall immediately request the collector of customs to withhold clearance. Such requests, if made informally, must be promptly confirmed in writing. (41 Stat. 1082; 8 U. S. C. 170)

**§ 120.30 Afflicted seamen; when discharged from hospital; further procedure.** If, prior to the expiration of 30 days (or at any time thereafter, if longer detained at the request of the master, agent, owner, consignee, or proper guarantor), the appropriate surgeon of the Public Health Service certifies that an alien removed for hospitalization or observation is cured, or that his mental and physical condition is such that he can resume his calling without danger to himself or others, the officer in charge shall discharge the alien from the hospital, following which his admissibility shall be determined in the same manner as that of arriving alien seamen generally. If such an alien seaman is found eligible to temporary admission under § 120.21, he may, if the vessel on which he arrived has departed, be granted a period not exceeding 29 days within which to reship. Extensions of such admission may be granted in the same manner as granted to other alien seamen. If such an alien seaman is found not entitled to admission, he shall be detained and his de-

parture enforced at the expense of the vessel on which he arrived. (41 Stat. 1082; 8 U. S. C. 170)

**§ 120.31 Afflicted seamen; procedure where recovery not certifiable at expiration of 30 days.** If the mental or physical condition of an interned alien seaman is such at the expiration of 30 days that he cannot be certified, as provided in § 120.30, then the officer in charge shall return the alien seaman to the vessel on which he arrived, provided said vessel is promptly sailing foreign and a certificate is issued by the Public Health surgeon that the alien can be placed on board and removed by said vessel without danger to his life. If for any reason it is impossible or impracticable to have such an interned seaman promptly returned foreign on board the vessel by which he was brought to the United States, then and in that event he shall be returned foreign on board another vessel of the same line promptly sailing foreign, carrying a ship's surgeon, or if that is impracticable, then such alien shall be returned foreign as a passenger on any passenger vessel carrying a ship's surgeon: *Provided*, That in every case where such a seaman is returned foreign the master, agent, owner, or consignee of the vessel by which he is returned, or other responsible party, shall furnish a guaranty satisfactory to the appropriate immigration officer that the seaman will receive proper medical treatment and be segregated from members of the crew and passengers, if there be any of the latter, and that every precaution will be employed to prevent the spread of contagion during the ocean voyage, and (if removal is effected by the vessel which brought the alien, or by one of the same line) that the alien will not be returned to the United States by said vessel, or another one of the same line, unless and until cured: *Provided further*, That if the vessel by which an "afflicted seaman" arrived is not sailing foreign at the expiration of 30 days said "afflicted seaman" may be permitted (upon written request of the master, agent, owner, consignee, or other acceptable guarantor promising to assume all expenses involved) to remain in hospital until such ship sails foreign. (41 Stat. 1082; 8 U. S. C. 170)

**§ 120.32 Afflicted seamen; periodic check concerning.** All officers in charge will see to it that a careful, systematic, and periodical check is maintained of all hospitalized or observation cases to the end that they shall be promptly and properly disposed of pursuant to law and the terms of the regulations in this part. (41 Stat. 1082; 8 U. S. C. 170)

**§ 120.33 Violations of act providing for treatment of alien seamen to be promptly reported.** All violations of the act entitled "An act to provide for the treatment in hospital of diseased alien seamen," approved December 26, 1920 (41 Stat. 1082; 8 U. S. C. 170), coming to the attention of the immigration officers shall be promptly reported to the Central Office.

**§ 120.34 Detention of seamen pending inspection.** The owner, charterer, agent, consignee, or master of any vessel

arriving in the United States from any place outside thereof shall detain on board such vessel all alien seamen employed thereon pending the inspection and examination of such alien seamen by the proper immigration and naturalization officials. For the purpose of such inspection and examination, the owner, charterer, agent, consignee, or master of such vessel may be required by such immigration and naturalization official to muster all aliens employed thereon. The failure or refusal of the owner, charterer, agent, consignee, or master of such vessel to detain any such alien seamen on board until such seamen have been inspected and examined shall be deemed a violation of section 20 of the Immigration Act of 1924. (Sec. 20 (a), 43 Stat. 164, 58 Stat. 817; 8 U. S. C. and Sup., 167 (a))

**§ 120.35 Notice to detain or deport alien employee of vessel; verification of departure.** Where, for any cause, the immigration and naturalization official in charge of any port of arrival finds that any alien employed on board any vessel arriving in the United States from any place outside thereof should be detained on such vessel or deported, he shall forthwith serve or cause to be served on the owner, charterer, agent, consignee, or master of such vessel a notice in writing to detain or deport such alien. The notice shall set forth the full name of such alien. In every such case an officer of the Immigration and Naturalization Service shall be detailed to verify the departure of such alien. (Sec. 20 (a), (b), 43 Stat. 164, 58 Stat. 817; 8 U. S. C. and Sup., 167 (a), (b))

**§ 120.36 Detained seamen; when removal permitted.** Alien seamen ordered detained on board or deported pursuant to section 20 (a) of the Immigration Act of 1924 (43 Stat. 164, 58 Stat. 817; 8 U. S. C. and Sup., 167 (a)) shall not be removed to immigration stations or other places for safekeeping, except in cases of emergency, and in such cases only when the master, agent, owner, charterer, or consignee of the vessel involved shall give satisfactory guaranty that all costs of such removal, including maintenance charges, and damage done by such seamen to the station or place to which removed, including damage to equipment, shall be paid by such master, agent, owner, charterer, or consignee. If the district director, or officer in charge at the port of arrival, finds that deportation of the alien seaman on the vessel on which he arrived would cause undue hardship to such seaman, he may cause him to be deported on another vessel at the expense of the vessel on which he arrived, and such vessel shall not be granted clearance until such expense has been paid or its payment guaranteed to the satisfaction of the district director or officer in charge. (Secs. 19, 20 (c), 43 Stat. 164; 8 U. S. C. 166, 167 (c))

**§ 120.37 Arrest and deportation of seamen; procedure.** (a) An alien temporarily admitted as a bona fide seaman pursuant to section 3 (5) of the Immigration Act of 1924 for the time and under the conditions stated in § 120.21 of

this part shall be deemed to have remained in the United States for a longer time than permitted by the terms of his admission or to have failed to maintain the status under which he was admitted if:

(1) He is found in the United States after the expiration of the time for which he was temporarily admitted or the expiration of any authorized extension of such period; or

(2) He engages in or seeks employment ashore for hire; or

(3) He engages in or seeks employment in the coastwise trade; or

(4) He engages or seeks to engage, for profit, in any business not connected with his calling as a seaman; or

(5) He evidences an intention, by any other conduct or by spoken word, to violate the conditions of his temporary admission or to remain in the United States for a longer period than that for which he was admitted, although the period of his temporary admission has not expired; or

(6) He violates or is found to have violated in any way the terms and conditions under which he was admitted, as prescribed by the regulations in force and effect at the time of his admission.

(b) Any such alien shall be taken into custody and deported in accordance with the provisions of section 14 of the Immigration Act of 1924: *Provided, however*, and notwithstanding any other provisions of this chapter, that any such alien, upon indicating a willingness and ability to reship foreign may, in the discretion of the officer in charge, be placed on board any vessel for reshipment foreign at any time prior to the issuance of a warrant of deportation. (Sec. 33, 39 Stat. 896, secs. 3 (5), 14, 15, 20, 43 Stat. 154, 162, 164, 47 Stat. 524, 58 Stat. 817; 8 U. S. C. and Sup., 167, 168, 203, 214, 215)

**§ 120.38 Seamen returned to the United States by American consuls—(a) Applicable regulations.** Certain aliens employed as seamen on vessels of American registry are entitled under the navigation laws and American consular regulations to various privileges, including being returned to the United States when discharged in a foreign port on account of injury or illness or when they become destitute under certain circumstances in foreign countries. The cases of such seamen, whether returned to the United States as members of the crew or as passengers or workaways, shall be handled in accordance with the provisions of this section, Part 175, and any applicable Executive order prescribing the conditions for admission of alien seamen to the United States.

(b) **Evidence required.** In every instance of a vessel arriving from a foreign port having on board American seamen (aliens) who are returned by United States consular officials, the master, purser, or other responsible officer of the vessel, or such seamen, shall present to the immigration officials documentary or other satisfactory evidence indicating that they are bona fide American seamen (aliens) returned under American consular regulations.

(c) **Admission of returned seamen.** Aliens returned to the United States under American consular regulations who arrive as members of the crew shall be treated in the same manner as any other arriving seamen, except as specified in paragraphs (d) and (e) of this section. Aliens so returned, whose occupational status as seamen is found to be bona fide and who seek to enter the United States solely in pursuit of their calling as seamen but who arrive as passengers or workaways, may be admitted for a period not to exceed 29 days for the same purposes and under the same conditions with regard to maintenance of status as if they were arriving as alien seamen. Any extension of the original period of admission of such an alien shall be granted in the same manner as if the alien had arrived and been admitted as an alien seaman. Any such returned seaman who arrives as a passenger or workaway and who seeks entry as a returning legal resident or for any purpose other than to continue in pursuit of his calling as a seaman shall be treated as any other arriving alien passenger, except as specified in paragraphs (d) and (e) of this section.

(d) **Procedure when afflicted.** When any such seaman, regardless of the manner of his arrival, shall be found to be afflicted with any of the disabilities enumerated in section 35 of the Immigration Act of 1917, immigration officials shall inform the master, or other responsible officer, that the seaman is entitled to hospitalization in a marine hospital at the expense of the appropriation for the maintenance of such hospitals, and that he must be delivered to authorities of the United States Public Health Service for such hospitalization. Upon his discharge from the hospital, he shall be examined and his case disposed of in accordance with paragraph (c) of this section.

(e) **When vessel exempted from liability; immigration appropriation not available for hospital treatment.** Under the navigation laws all masters of vessels of American registry bound to a port of the United States are required to take destitute American seamen (aliens) on board their vessels when so requested by American consular officials and to transport them to the United States port to which the vessel is bound, and every such master who refuses to receive and transport such seamen on the request or order of the American consular official is liable to the United States in a penalty of \$100 for each such seaman so refused. Moreover, masters of vessels of foreign registry accept such seamen as an act of courtesy extended to American consuls. Vessels transporting such seamen shall be exempted from the payment of head tax, hospital, and maintenance expenses, and liability for the penalties prescribed by the immigration laws, provided the transportation lines furnish satisfactory proof that the seamen were accepted at the request of American consuls. Under no circumstances shall hospital bills incurred on account of American seamen (aliens) returned under consular regulations be paid from the immigration appropriations. However, maintenance expenses incurred pending final determination of

## RULES AND REGULATIONS

the status of such aliens may be paid from said appropriations.

**§ 120.39 Shipwrecked or castaway seamen**—(a) *Admission as seamen.* Aliens whose occupational status as seamen is found to be bona fide, who, as shipwrecked or castaway seamen, are rescued by or transferred at sea to a vessel bound directly for the United States, may be admitted for a period not to exceed 29 days for the same purposes and under the same conditions with regard to maintenance of status as if they were arriving as alien seamen. Any extension of the original period of admission of such an alien shall be granted in the same manner as if the alien had arrived and been admitted as an alien seaman.

(b) *Admission other than as seamen.* Any such returning seaman who seeks entry as a returning legal resident or for any purpose other than to continue in pursuit of his calling as a seaman, shall be treated as any other arriving alien passenger, except as specified in paragraph (d) of this section.

(c) *Payment of expenses.* If expenses are incurred in connection with the detention and deportation of such seamen, they shall be collected from the appropriate foreign consuls or from the owners, agents, or consignees of the wrecked vessel, if practicable. If this cannot be done, then such expenses shall be paid from the appropriation for the enforcement of the immigration acts.

(d) *Procedure when afflicted.* If any such seaman shall be found to be afflicted with any of the disabilities enumerated in section 35 of the Immigration Act of 1917, and is found to be entitled to treatment in a marine hospital at the expense of the appropriation for the maintenance of such hospitals, he shall be delivered into the custody of the United States Public Health Service authorities for care and treatment in such a hospital. Any such afflicted seaman who is found not to be entitled to such treatment may be granted treatment at the expense of the wrecked vessel if the appropriate foreign consul or other responsible person satisfactorily guarantees the expenses thereof. If this cannot be arranged, the alien may be hospitalized at the expense of the immigration appropriation if his condition is such as to require emergency treatment.

(e) *Final inspection.* The final inspection of any hospitalized seaman shall be deferred until his discharge from the hospital, when his admission shall be determined in accordance with the provisions of this section, Part 175, and any applicable Executive order prescribing the conditions for admission of alien seamen to the United States.

**§ 120.40 Alien seamen who were members of the crew of an American vessel which has been sold or delivered abroad who are being returned to the United States as passengers or workaways in accordance with the terms of the contract of employment of the outbound voyage or the laws of the United States.** (a) Aliens of this class whose occupational status as seamen is found to be bona fide and who seek to enter the United States solely in pursuit of their

calling as seamen, may be admitted for a period not to exceed 29 days for the same purposes and under the same conditions with regard to maintenance of status as if they were arriving as alien seamen. Any extension of the original period of admission of such an alien shall be granted in the same manner as if the alien had arrived and been admitted as an alien seaman. Any such alien who seeks entry as a returning legal resident or for any purpose other than to continue in pursuit of his calling as a seaman, shall be treated as any other arriving alien passenger except as specified in paragraph (b) of this section.

(b) Any such arriving alien who is found to be afflicted with any of the disabilities enumerated in section 35 of the Immigration Act of 1917 and who is found to be entitled to treatment in a marine hospital at the expense of the appropriation for the maintenance of such hospitals, shall be delivered into the custody of the authorities of the United States Public Health Service for such treatment. Aliens so afflicted who are not entitled to such treatment at Government expense, may be hospitalized if the expenses incident to such hospitalization are satisfactorily guaranteed.

(c) The final inspection of any hospitalized seaman of this class shall be deferred until his discharge from the hospital when his admission shall be determined in accordance with the provisions of this section, Part 175, and any applicable Executive order prescribing the conditions for admission of alien seamen to the United States.

**§ 120.42 Disabled seamen; conditions for passing in transit; immigration officials to confer with appropriate officers.** A disabled alien seaman, who nevertheless does not intend to relinquish his calling, but whom the master of the vessel is obliged under the navigation laws of the country to which the vessel belongs to return to the country where he embarked, may, under such regulations as the officer in charge deems proper to carry out the purposes of this section, pass through the United States in transit to such country by the most expeditious and direct route. Where he is suffering from a loathsome, contagious, or dangerous contagious disease, or with tuberculosis in any form, or from a mental disability, or is in such physical or mental condition as to render him a person likely to become a public charge, the master must make arrangements for his proper care while in transit and furnish a sum of money sufficient to defray the expenses thereof. These provisions are made in the interest of trade and because of the peculiar position occupied by seamen under principles of international comity; and in all cases to which they apply the immigration officials shall confer not only with the master but with the consular representative of the country to which the vessel belongs. (Sec. 19, 43 Stat. 164, sec. 3, 43 Stat. 154, 47 Stat. 524; 8 U. S. C. 166, 203, 215)

**§ 120.43 Afflicted seamen; expense of telegrams concerning.** All telegrams sent in behalf of masters, agents, owners, consignees, or guarantors in respect of

"afflicted seamen" or aliens suspected of being "afflicted seamen" shall, whenever practicable, be at the expense of the responsible master, agent, owner, consignee, or guarantor. (Sec. 35, 39 Stat. 896, 41 Stat. 1082; 8 U. S. C. 169, 170)

**PART 122—LABORERS FROM COUNTRIES GRANTING LIMITED PASSPORTS**

Sec.

122.1 Regulations governing alien laborers prescribed by Executive Order 1712, Feb. 24, 1913.  
 122.2 Effect of Executive Order No. 1712.  
 122.3 When certain laborers admitted; proof required.  
 122.4 Absence of passport of certain laborers; presumptions.  
 122.5 Passports of certain laborers; endorsement.  
 122.6 Excluded laborers; appeal.

**AUTHORITY:** §§ 122.1 to 122.6, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. §§ 122.1 to 122.6, inclusive, interpret and apply 6th proviso, sec. 3, 39 Stat. 875; 8 U. S. C. 136 (h).

**§ 122.1 Regulations governing alien laborers prescribed by Executive Order 1712, Feb. 24, 1913.** The President's Executive order on this subject, issued February 24, 1913, reads as follows:

Whereas by the Act entitled "An act to regulate the immigration of aliens into the United States" approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone; and

Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by certain foreign governments to their citizens or subjects who are laborers, skilled or unskilled, to proceed to countries or places other than the continental territory of the United States, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such alien laborers, skilled or unskilled, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

**§ 122.2 Effect of Executive Order No. 1712.** The Executive order requires that laborers, skilled or unskilled, who are citizens of a country which grants to its laborers proceeding abroad limited labor passports only, and who present at a continental port a passport entitling them only to admission to countries or places other than continental United States, shall be rejected. It does not in any particular relieve such aliens from examination under the general provisions of the law.

**§ 122.3 When certain laborers admitted; proof required.** If a laborer described in §§ 122.1, 122.2 applies for admission and presents a passport entitling him to enter continental United States, or not limited to some country or place other than continental United States, he shall be admitted, unless he belongs to one of the classes excluded by the general provisions of the law. If he presents such a limited passport, but claims that he is not a laborer, satisfactory proof of such claim shall be required.

**§ 122.4 Absence of passport of certain laborers; presumptions.** If a laborer described in §§ 122.1, 122.2 applies for admission and presents no passport, it shall be presumed (a) that when he departed from his own country he did not possess a passport entitling him to come to continental United States, and (b) that at that time he did possess a passport limited to some country or place other than continental United States.

**§ 122.5 Passports of certain laborers; endorsement.** Passports presented by aliens covered by § 122.3 shall be plainly endorsed, in indelible ink, in such a manner as to show the fact and date of admission or rejection. The passport shall be returned to the presenter.

**§ 122.6 Excluded laborers; appeal.** All laborers excluded under §§ 122.1-122.5 shall be advised not only of their right of appeal, where one lies, but also that they may communicate by telegraph or otherwise with any diplomatic or consular officer of their government, and they shall be afforded opportunity for doing so.

#### PART 123—FOREIGN GOVERNMENT REPRESENTATIVES TO INTERNATIONAL ORGANIZATIONS

Sec.

- 123.1 Qualifications.
- 123.2 Exemptions.
- 123.3 Admission.
- 123.4 Extension of stay.
- 123.5 Violation of status.

**AUTHORITY:** §§ 123.1 to 123.5, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. §§ 123.1 to 123.5, inclusive, interpret and apply secs. 7 (a), (c), (d), 8 (a), 59 Stat. 672; 22 U. S. C., Sup., 288d, 288e, 8 U. S. C., Sup., 203, 215.

**§ 123.1 Qualifications.** The qualifications for the admission of an alien to the United States as a nonimmigrant under the provisions of subsection (7) of section 3 of the Immigration Act of 1924 shall be:

(a) The alien shall satisfy the immigrant inspector that he is coming temporarily to the United States as (A) a representative of a foreign government in or to an international organization designated by the President by Executive order as entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (59 Stat. 669; 22 U. S. C., Sup., 288), or as an officer or employee of such an international organization, or as a member of the family of such a representative, officer, or employee, or as (B) an attendant,

servant, or employee of such a representative, officer, or employee.

(b) The alien shall present whatever document or documents are required in such cases by applicable Executive order or orders and regulations prescribing the documents required for the entry of aliens.

**§ 123.2 Exemptions.** An alien qualified for admission as prescribed in § 123.1 shall be accorded the following exemptions from provisions of the immigration laws:

(a) The alien shall not be required to be registered and fingerprinted under the provisions of Title III of the Alien Registration Act, 1940 (54 Stat. 673; 8 U. S. C. 451): *Provided*, That this exemption shall not extend to a member of the family unless he is closely related by blood or marriage to, and is regularly residing in the household of, an alien within Group (A) of § 123.1 (a): *Provided further*, That this exemption shall not apply to an attendant, servant, or employee of an alien within said Group (A) unless such attendant, servant, or employee is regularly residing as a domestic employee in the household of the employer: *Provided further*, That this exemption shall not extend to the alien unless his status is approved by the Secretary of State in accordance with the provisions of section 8 (a) of the International Organizations Immunities Act (59 Stat. 672; 22 U. S. C., Sup., 288e): *Provided further*, That if the alien ceases to maintain the status of an alien not amenable to the registration and fingerprinting requirements, he shall within 30 days of such cessation apply for registration and to be fingerprinted.

(b) The alien shall not be required to furnish bond.

(c) The alien shall be entitled to the benefit of the provisions of the tenth proviso to section 3 of the Immigration Act of February 5, 1917 (39 Stat. 875; 8 U. S. C. 136 (r)), including the head tax exemption prescribed in § 105.3 (p) of this chapter.

**§ 123.3 Admission.** The alien, if in Group A of § 123.1 (a), shall not be admitted for a specific period of time but shall be admitted for the duration of his existing status. The alien, if in Group B of § 123.1 (a), shall be admitted for whatever period, not to exceed one year, is appropriate to accomplish the purpose of his temporary stay in the United States. If the immigrant inspector conducting the examination of the alien is satisfied that the alien is admissible under this part, the inspector may admit the alien. If the inspector is not so satisfied, he shall hold the alien for hearing before a board of special inquiry.

**§ 123.4 Extension of stay.** An alien admitted under the provisions of this part and within Group B of § 123.1 (a) may apply for an extension of the time of his temporary admission. Such application should be submitted on Form I-539 approximately 30 days before the expiration of the period of admission, or previously authorized extension thereof, to the officer in charge at the port where the admission occurred. The officer in charge shall make such verifications and

inquiries as are appropriate and shall forward the application through the office of the district director to the Commissioner of Immigration and Naturalization with a report of the facts and a recommendation.

**§ 123.5 Violation of status.** (a) An alien admitted to the United States under the provisions of this part shall be deemed to have remained in the United States for a longer time than permitted by the conditions of his admission or to have failed to maintain the status under which admitted if—

(1) He is found in the United States after he ceases to have the status under which admitted; or

(2) If in Group B of § 123.1 (a), he remains in the United States after the expiration of the time for which he was temporarily admitted or after the expiration of any authorized extension or extensions of such period; or

(3) He violates or is found to have violated in any other way the conditions under which he was admitted or under which he was permitted to remain in the United States temporarily for an additional period.

(b) Any such alien shall be made the subject of deportation proceedings in accordance with the provisions of section 14 of the Immigration Act of 1924 (43 Stat. 162; 8 U. S. C. 214) and the provisions of Part 150 of this chapter: *Provided*, That with respect to aliens within Group A of § 123.1 (a) the Secretary of State shall be notified at once of the contemplation or institution of such proceedings: *Provided further*, That with respect to aliens within said Group A departure from the United States shall not be required without the prior approval of the Secretary of State.

#### PART 124—ALIEN CONTRACT LABORERS

Sec.

- 124.1 Contract laborers defined.
- 124.2 Exemptions of certain aliens from contract labor; definitions.
- 124.3 Bonds for alien musicians admitted temporarily.
- 124.4 Application to import skilled labor; requirements.
- 124.5 Application to import skilled labor; procedure.
- 124.6 Decision on application to import skilled labor; notice of; procedure thereafter.
- 124.7 "Student laborers"; procedure for importing.
- 124.8 Exhibitors and holders of concessions and their employees; exemption.

**AUTHORITY:** §§ 124.1 to 124.8, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. §§ 124.1 to 124.8, inclusive, interpret and apply sec. 3, 39 Stat. 875, 47 Stat. 67; 8 U. S. C. 136 (h), 137b, 137c, 137d.

**§ 124.1 Contract laborers defined.** Contract laborers are aliens "who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written, or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled", or "persons who have come in consequence of

## RULES AND REGULATIONS

advertisements for laborers, printed, published, or distributed in a foreign country".

**§ 124.2 Exemptions of certain aliens from contract labor; definitions.** Aliens falling within the purview of § 124.1 may be admitted to the United States, upon presenting satisfactory evidence that they are:

(a) Professional actors or artists: *Provided*, That an instrumental musician to be classified as an actor or artist must establish that (1) he is of distinguished merit and ability as an instrumental musician or is a member of a musical organization of distinguished merit and is applying for admission as such, and (2) his professional engagements (or, if the exemption is claimed on account of membership in an organization, the professional engagements of such organization) within the United States are of a character requiring superior talent;

(b) Professional lecturers;  
(c) Professional singers;  
(d) Professional nurses;

(e) Ministers of any religious denomination;

(f) Professors for colleges or seminaries;

(g) Persons belonging to any recognized learned profession;

(h) Persons employed as domestic servants;

(i) Otherwise admissible skilled labor, if labor of like kind unemployed cannot be found in this country and the Attorney General has granted permission in advance of the migration of such skilled laborers for their importation;

(j) Exhibitors and employees of fairs and expositions authorized by Congress.

**§ 124.3 Bonds for alien musicians admitted temporarily.** All rules and regulations relating to bonds for nonimmigrants shall apply with full force and effect to alien musicians coming to the United States for a temporary period.

**§ 124.4 Application to import skilled labor; requirements.** Applications for permission to import otherwise admissible skilled labor in accordance with § 124.2 (i) shall be submitted by the person, company, or corporation seeking such privilege to the official in charge of the district within which it is proposed to employ such skilled labor. The application shall be in the form of an affidavit drawn in triplicate, and shall state clearly all facts and circumstances material to the case, including (a) the number and sex of the persons whom the applicant desires to import, (b) a non-technical description of the work which it is intended they shall perform, (c) whether the industry is already established or is new in the United States, (d) the approximate length of time required for one to become skilled in the trade, (e) the wages paid and hours of labor required, (f) whether or not a strike exists or is threatened among applicant's employees or there is a lockout against such employees, (g) what city or cities, if any, constitute the center of the trade in this country, (h) whether or not there are any journals especially devoted to the industry, and (i) the nature of the efforts, if any, made to secure the desired

labor in the United States and the results of such efforts. The application shall be supported by such affidavits (also in triplicate) as the applicant can furnish. The applicant shall also furnish or agree to furnish at a later date the names, ages, nationality, and last permanent foreign residence of the aliens whom he desires to import, and the name of the port at which and of the vessel by which they will arrive, and the date of the proposed arrival.

**§ 124.5 Application to import skilled labor; procedure.** The officer in charge shall conduct a thorough investigation of the application made under § 124.4 and shall forward two copies each of the application, of the accompanying affidavits, and of the report of the investigation, together with his recommendations, to the Commissioner for consideration and decision. Counsel may be employed in connection with such cases before the officer in charge, or the Commissioner, or both, but all evidence shall be submitted to and investigated by the officer in charge.

**§ 124.6 Decision on application to import skilled labor; notice of; procedure thereafter.** When a decision is rendered by the Commissioner upon the application made under § 124.4, the official in charge shall be notified immediately, and he in turn shall notify the applicant of the purport of such decision. If it is favorable, a copy of the record will be transmitted to the port at which it is proposed the alien contract laborers shall enter, with instructions to the official there in charge to admit such laborers if upon arrival and examination they are found to be admissible under all other provisions of the law.

**§ 124.7 "Student laborers"; procedure for importing.** Employers of skilled labor desirous of training aliens in their establishments may be granted such privilege by the Commissioner, provided the prospective "student laborers" are admissible in every other respect except that they migrate under contract, and provided a bond is furnished for each such alien in the penalty of not less than \$500, guaranteeing that the alien will be employed in no other than a student capacity while within the United States and will leave this country immediately upon the conclusion of his course of training. Applications for this privilege and proof in support thereof should be submitted in substantial accordance with the provisions of § 124.4.

**§ 124.8 Exhibitors and holders of concessions and their employees; exemption.** Exhibitors and holders of concessions or privileges for any fair or exposition authorized by act of Congress may bring into the United States under contract, alien mechanics, artisans, agents, and employees. Special regulations concerning the admission and return of such aliens will be issued if and whenever a fair or exposition is authorized by Congress (Section 3, Immigration Act of 1917, 39 Stat. 875; 8 U. S. C. 136 (h)). Such aliens, unlike others exempted from the contract-labor provisions, are also exempted from the literacy test.

## PART 125—STUDENTS

Sec.

125.1 Students defined; requirements of; conditions of admission.  
125.2 Students; extension of stay.  
125.3 Students; when subject to deportation.  
125.4 School; petition for approval.  
125.5 Schools; conditions for approval.  
125.6 School; officer to make petition.  
125.7 School; withdrawal of approval.

**AUTHORITY:** §§ 125.1 to 125.7, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133; 8 CFR. 90.1. §§ 125.1 to 125.7, inclusive, interpret and apply sec. 4 (e), 43 Stat. 155, sec. 13 (a) (3), 43 Stat. 161, 50 Stat. 165, sec. 15, 43 Stat. 162, 47 Stat. 524, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 204 (e), 213 (a), 215.

**§ 125.1 Students defined; requirements of; conditions of admission.** A bona fide student within the meaning of subdivision (e) of section 4 of the Immigration Act of 1924 (43 Stat. 155; 8 U. S. C. 204 (e)), as amended, is defined as follows: (a) An alien at least 15 years of age who presents a valid nonquota immigration visa duly issued by an American consular officer and designating the alien as a student; (b) who is qualified to enter and has definitely arranged to enter an accredited school, college, academy, seminary, or university, particularly designated by him and approved by the Attorney General; (c) who seeks to enter the United States temporarily for the purpose of pursuing a definite course of study in such institution and will carry a full course of studies in day classes; and (d) who intends to depart voluntarily from the United States upon the completion of such course of study or upon failure to maintain the status of student. A student whose parents or relatives are financially able to support him, or who otherwise has sufficient income to cover expenses, will not be permitted to work either for wages or for board or lodging. A student who has some means but not sufficient income to cover necessary expenses will be permitted to accept sufficient employment to meet necessary expenses. A student having no means will be permitted to work to earn sufficient funds to meet necessary expenses. In no case will a student be permitted to accept employment of a nature to interfere with his full course of studies. Such alien, subject to the proviso of this section, shall be required to establish by the production of a passport, or document in lieu of a passport acceptable under consular regulations, that at the termination of his studies in the United States he will be able to depart to his own or some other country. If the examining immigrant inspector is satisfied beyond a doubt that the alien is a bona fide student as defined herein, he may admit such alien, if otherwise admissible. If he is not satisfied, he shall hold the alien for examination in relation thereto by a board of special inquiry, which board may admit such alien, if otherwise admissible, and may in its discretion, as a condition precedent to admission, exact bond in the sum of \$150 that the alien will maintain the status of an immigrant student while in the United States and that he will depart

voluntarily when he ceases to maintain such status: *Provided*, That whether admitted on primary inspection or by a board of special inquiry, with or without bond, such admission shall be only for a period extending to 60 days prior to the time within which the passport, or document in lieu of a passport, is valid for the alien's departure to his own or some other country, and the period for which admitted shall be endorsed on the immigration visa and the passport, or document in lieu of a passport. Upon admission the alien shall be advised that he may not lawfully remain in the United States beyond the period for which admitted unless prior to the expiration of such period he applies for and obtains an extension of stay in the manner specified in § 125.2. The length of time for which admitted and data as to passport or document in lieu of passport should be noted on Form I-113.

**§ 125.2 Students; extension of stay.** Applications to extend period of temporary admissions of bona fide students pursuant to § 125.1 shall be prepared on Form I-535 and submitted to the officer in charge at the port of arrival at least 60 days prior to the expiration of the period for which admitted. The application shall contain all the data specified in the form and must be accompanied by applicant's passport or document in lieu of passport, valid for departure to alien's own or some other country, for at least the time of the requested extension. Where the officer in charge is satisfied that the alien is a bona fide student and if the passport, or document in lieu of a passport acceptable under consular regulations, is valid as above described, the extension may be granted without referring the application to the district head. Where the officer in charge concludes that the application should not be granted, the application shall be forwarded to the district head for determination, the application to be accompanied by a statement of reasons for such reference. Where the district head concludes that the application should not be granted, he shall forward it to the Central Office for decision, with a statement of the reasons for his conclusion.

**§ 125.3 Students; when subject to deportation.** Any immigrant student admitted to the United States as a non-quota immigrant under the provisions of subdivision (e) of section 4 of the Immigration Act of 1924 (43 Stat. 155; 8 U. S. C. 204 (e)), as amended, who fails, neglects, or refuses regularly to attend the school, college, academy, seminary, or university to which admitted, or the accredited school, etc., to which he has lawfully transferred, or who is expelled or dropped from such institution, or who accepts employment except as authorized, or who fails to provide himself with a passport, or document in the nature of a passport acceptable under consular regulations, which will permit his voluntary departure to his own or some other country, or who fails or refuses to so depart, shall be deemed to have abandoned his status as an immigrant student, and shall, upon the warrant of the Attorney General, be taken into custody and deported.

**§ 125.4 School; petition for approval.** Any school, college, academy, seminary, or university desiring approval as a school for immigrant students may file with the Attorney General a petition in writing (Form I-17), stating its name and location; the date when established; the requirements for admission, including age; whether coeducational; the courses of study offered and the time required to complete each course; the degrees, if any, conferred; the calendar of its school year, including terms and semesters; whether day or night sessions are held or both; the average annual number of students attending; the number of teachers or instructors employed; the approximate total annual cost of board, tuition, etc., per student; and the causes for expulsion: *Provided*, That when a catalog is issued by such school, college, academy, seminary, or university, a copy of the latest edition thereof shall be filed with and made part of the petition with appropriate references to the pages of such catalog where the information herein required may be found. If the Attorney General is satisfied that such school, college, academy, seminary, or university has been established for at least two years immediately preceding the filing of the petition herein required; that it is a bona fide institution of learning; and that it possesses the necessary facilities and is otherwise qualified for the instruction and education of immigrant students he may approve such school, college, academy, seminary, or university as a school for immigrant students.

**§ 125.5 Schools; conditions for approval.** No petition for approval as a school for immigrant students shall be considered unless such petition is accompanied by the written agreement of the school, college, academy, seminary, or university seeking such approval, to report in writing to the officer in charge at the port of arrival, immediately upon the admission of an immigrant student to such institution, the name, age, and local address of such student; the name and complete address of a friend or relative of such student in the United States; the date when such student was admitted; the course of study to be pursued by him; and at the termination of the attendance of such student, to forthwith report, in writing, to the Attorney General through the officer in charge at the port of arrival the date when and the reasons why such attendance was terminated. The foregoing conditions for approval of schools are hereby made applicable to all such approvals heretofore granted and the continuance of approval of a school will depend on the observance of this section.

**§ 125.6 School; officer to make petition.** Form I-17 and the written agreement accompanying it must be executed by the principal officer of the school, college, academy, seminary, or university having authority to execute contracts.

**§ 125.7 School; withdrawal of approval.** When it shall appear to the satisfaction of the Attorney General that any school, college, academy, seminary, or university approved as a school for

immigrant students, fails, neglects, or refuses to comply with all and singular the terms of its agreement he may withdraw or revoke his approval of such school, college, academy, seminary, or university as a school for immigrant students.

**PART 126—ADMISSION OF ALIEN SPOUSES AND ALIEN MINOR CHILDREN OF CITIZEN MEMBERS OF THE UNITED STATES ARMED FORCES**

Sec.

- 126.1 Aliens eligible.
- 126.2 Exemptions.
- 126.3 Fines.
- 126.4 Procedure.

**AUTHORITY:** §§ 126.1 to 126.4, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 1331; 8 CFR, 90.1. §§ 126.1 to 126.4, inclusive, interpret and apply secs. 1-5, 59 Stat. 659; 8 U. S. C., Sup., 232-236.

**§ 126.1 Aliens eligible.** Notwithstanding the provisions of other parts of this chapter and pursuant to the provisions of the act of December 28, 1945, an alien other than one barred by section 13 (c) of the Immigration Act of 1924 who at the time he applies for admission to the United States satisfies the immigration officer that the following facts exist in his case shall be admitted to the United States for permanent residence upon compliance with all the requirements of the immigration laws (including the Alien Registration Act, 1940), except those stated in § 126.2:

(a) The alien is the child under 21 years of age or the husband or wife of a United States citizen who is serving in, or has an honorable discharge certificate from service in, the armed forces of the United States during the Second World War.

(b) The application for admission to the United States is made within three years of December 28, 1945.

**§ 126.2 Exemptions.** In order to be admitted to the United States under the provisions of this part, an alien shall comply with all the requirements of the immigration laws (including the Alien Registration Act, 1940) except:

(a) Those provisions of section 3 of the Immigration Act of February 5, 1917, excluding physically and mentally defective aliens, such provisions being designated in Title 8 of the United States Code as subsections (a), (c), and (d) of section 136.

(b) All provisions of the immigration laws (including section 30 of the Alien Registration Act, 1940 (54 Stat. 673; 8 U. S. C. 451)) and regulations, Executive orders, and Presidential proclamations prescribing documents to be presented by aliens entering the United States.

(c) All provisions relating to quota and nonquota restrictions prescribed in the Immigration Act of 1924; in section 2 of the act of December 17, 1943 (57 Stat. 601, 60 Stat. 975; 8 U. S. C., Sup., 212a); and in section 4 of the act of July 2, 1946 (60 Stat. 417; 8 U. S. C., Sup. 212b); and in Presidential proclamations pursuant to those acts.

## RULES AND REGULATIONS

**§ 126.3 Fines.** No fine, penalty, or liability for detention expense shall be imposed under the Immigration Act of February 5, 1917, because of the transportation to the United States of any alien admitted to the United States under the provisions of this part, except the fine arising under section 14 of the Immigration Act of February 5, 1917 (39 Stat. 884; 8 U. S. C. 150), for failure to furnish the information required by that section for an alien arriving in the United States.

**§ 126.4 Procedure—(a) Application.** An application for admission to the United States under this part shall be executed on Form I-135 by the applicant for himself and for any of his accompanying alien children under 14 years of age. If the applicant is a child over 14 years of age, he shall execute a separate Form I-135 in his own behalf. If the applicant is an unaccompanied child under 14 years of age, the Form I-135 may be executed in his behalf by his parent or guardian or other interested person. In all cases where practicable, Form I-135 shall be executed prior to embarkation before an immigrant inspector or such other officer as may be designated by the Commissioner of Immigration and Naturalization or the Attorney General. Such immigrant inspector or other officer shall question the applicant or his parent or guardian to determine whether the applicant is admissible to the United States under this part and shall place an endorsement on Form I-135 showing his findings and shall return the form to the applicant for delivery by him, or by an officer of the vessel transporting the alien, to the immigrant inspector at the port of entry. The final determination as to the applicant's admissibility shall be made when the applicant reaches the United States, and the final endorsement of Form I-135 to show disposition shall be made at that time by the immigration officer at the port of entry.

**(b) Manifest.** The list or manifest required by Part 107 of this chapter may, with respect to aliens arriving to apply for admission to the United States under the provisions of this part and any accompanying United States citizen children, be prepared on Form I-417. Form I-417 shall correspond in all respects to the Form I-417 approved by the Commissioner of Immigration and Naturalization and printed by the Government Printing Office.

**(c) Fingerprints.** Each applicant for admission to the United States under the provisions of this part shall be registered or fingerprinted, or both, in the manner required by section 31 of the Alien Registration Act, 1940 (54 Stat. 673; 8 U. S. C. 452). Such action shall be completed as far as possible prior to embarkation in connection with the preexamination required in paragraph (a) of this section, or en route, or such action may be fully taken at time of admission or within 29 days thereafter. Form I-135 when endorsed by the admitting immigrant inspector will constitute the record of registration. Fingerprints, where required, will be taken on Form AR-4.

**(d) Record of admission.** When an alien is admitted to the United States under the provisions of this part, the fully executed and endorsed Form I-135, accompanied by any required fingerprint chart, shall be forwarded to the Commissioner of Immigration and Naturalization in the way provided for immigration visas. There shall be prepared in the Central Office and mailed directly to the alien an appropriate receipt card showing the facts of his entry and his compliance with the Alien Registration Act, 1940. The Form I-135 shall be regarded for statistical purposes and filed for permanent record purposes as though it were a nonquota immigration visa issued under section 4 (a) of the Immigration Act of 1924.

**(e) Acquisition in the United States of permanent resident status.** An alien who has been lawfully admitted to the United States for a temporary period of time and who is, or becomes, eligible for admission to the United States as a nonquota immigrant under the provisions of the act of December 28, 1945 (59 Stat. 659; 8 U. S. C., Sup., 232), may apply for the privilege of permanent residence under the provisions of that act by executing Form I-135 before an immigrant inspector at any office of the Immigration and Naturalization Service. Upon execution of the Form I-135, the alien shall be examined by an immigrant inspector in the manner prescribed in this section. If the alien is found admissible, an endorsement shall be placed on the Form I-135 to that effect and the Form I-135 shall be forwarded to the port where the alien was temporarily admitted to the United States. At that port an endorsement to show admission for permanent residence shall be placed on the manifest record relating to the alien. The date of admission in such endorsement shall be the date on which the alien was found admissible under the provisions of the act of December 28, 1945, and the permanent residence status of the alien for naturalization and other purposes shall commence on such date. The Form I-135 shall be disposed of in accordance with the provisions of paragraph (d) of this section. As a part of the examination prescribed by this section, any head tax due shall be remitted and handled in accordance with the provisions of § 105.2 of this chapter.

**PART 127—FIANCÉES AND FIANCÉS OF CITIZEN MEMBERS OF THE UNITED STATES ARMED FORCES**

Sec.

- 127.1 Definitions.
- 127.2 Scope of act.
- 127.3 Laws applicable at time of entry; period of admission.
- 127.4 Bonds required; approval and cancellation.
- 127.5 Extension of stay.
- 127.6 Acquisition of permanent resident status.
- 127.7 Violation of status.

**AUTHORITY:** §§ 127.1 to 127.7, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 186, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238, sec. 4, 60 Stat. 340; 8 U. S. C. 102, 222, 458; 5 U. S. C. 1337; 50 U. S. C. App., Sup. 1854; 8 CFR, 90.1. §§ 127.1 to 127.7, inclusive,

interpret and apply secs. 1-5, 60 Stat. 339-340; 50 U. S. C. App., Sup., 1851-1855.

**§ 127.1 Definitions.** As used in this part, the term "act," unless otherwise indicated, means the act of June 29, 1946 (60 Stat. 339; 50 U. S. C. App., Sup., 1851); the term "fiancée" includes "fiancé" and pronouns of which the word "fiancée" is the antecedent include the masculine gender; and the term "immigration laws" includes any Presidential proclamations, Executive orders, or regulations issued pursuant to such laws.

**§ 127.2 Scope of act.** The provisions of the act shall be applied only to the case of a fiancée who is unable to obtain an immigration visa because she is chargeable to a quota and the nonpreference portion of such quota is exhausted at the time she applies for the immigration visa. The provisions of the general immigration laws shall be applied in the case of any fiancée who seeks to enter the United States as an immigrant and is not chargeable to a quota or who is chargeable to a quota which is not exhausted. Except for the respects in which the provisions of the act are controlling, the provisions of the general immigration laws shall be applied to fiancées seeking admission, or admitted, under the act.

**§ 127.3 Laws applicable at time of entry; period of admission.** (a) Under section 1, proviso (a), of the act, a condition for admission under the act is that "the alien is not subject to exclusion from the United States under the immigration laws." Such proviso shall be construed to mean that the alien is not subject to exclusion from the United States under the provisions of those parts of the immigration laws applicable to the cases of aliens seeking to enter the United States temporarily as visitors under the provisions of section 3 (2) of the Immigration Act of 1924, as amended, and, in addition, that she is not subject to exclusion from the United States under those parts of the immigration laws applicable to the cases of aliens seeking to enter the United States as nonquota immigrants under the provisions of the act of December 28, 1945 (59 Stat. 659; 8 U. S. C., Sup., 232).

(b) Any alien admitted under the act shall be admitted for a period of three months.

**§ 127.4 Bonds required; approval and cancellation.** As a requisite to the admission of any alien pursuant to the provisions of the act, the prospective American citizen spouse of such alien shall furnish a bond on Form I-375 in the sum of not less than \$500. Such bond shall be conditioned that the alien shall either depart from the United States without expense thereto within the period of her temporary admission (or an authorized extension thereof) or actually conclude a valid marriage with the said prospective American citizen spouse within the period of her temporary admission (or an authorized extension thereof) and that evidence satisfactory to the Commissioner of Immigration and Naturalization of such marriage or departure shall be furnished within 30 days after the expiration of such period. A surety com-

pany authorized by the Treasury Department to transact Federal bond business shall be an acceptable surety, or, in lieu thereof, the United States bonds or notes described in section 15 of Title 6, United States Code, and the regulations of the Treasury Department issued thereunder. Officers in charge of the several ports or districts are authorized, either directly or through officers or employees of the Service designated by them, to approve bond Forms I-375 and any formal agreement by which a surety consents to an extension of liability on such bonds, and such officer or employee shall have authority to cancel any bond in which all the conditions thereof have been fulfilled.

§ 127.5 *Extension of stay.* An alien fiancée admitted under the provisions of this part may apply for an extension of the period of her temporary admission. Such application shall be submitted on Form I-539 approximately 30 days before the expiration of the period of admission, or previously authorized extension thereof, to the officer in charge at the port where the admission occurred. The officer in charge shall make such verifications and inquiries as are appropriate and shall forward the application through the office of the district director to the Commissioner of Immigration and Naturalization with a report of the facts and a recommendation. The Commissioner shall make a decision on such application and shall send notice of such decision to the district director who shall in turn notify the officer in charge and the latter shall notify the alien of the decision.

§ 127.6 *Acquisition of permanent resident status.* An alien who has been lawfully admitted to the United States for a temporary period of time under the act and who is, or becomes, eligible for admission to the United States as a non-quota immigrant under the provisions of the act of December 28, 1945 (59 Stat. 659; 8 U. S. C., Sup., 232), may apply for the privilege of permanent residence under the provisions of § 126.4 (e) of this chapter.

§ 127.7 *Violation of status.* (a) An alien admitted to the United States under the provisions of this part shall be deemed to have remained in the United States for a longer time than permitted by the conditions of her admission or to have failed to maintain the status under which admitted if she remains in the United States after the expiration of the time for which she was temporarily admitted, or after the expiration of any authorized extension or extensions of such period, without having during such period concluded a valid marriage to a citizen of the United States who is serving in or who has been honorably discharged from the armed forces of the United States during World War II and without having during that period or any authorized extension thereof acquired the status of a lawful permanent resident.

(b) Any such alien shall be made the subject of deportation proceedings in accordance with the provisions of section 14 of the Immigration Act of 1924

(43 Stat. 162; 8 U. S. C. 214) and the provisions of Part 150 of this chapter.

**PART 128—PERSONS ARRIVING BY WAY OF OR FROM HAWAII; CERTIFICATES**

Sec.

- 128.1 Nonimmigrant arriving at Hawaii and proceeding to mainland; examination.
- 128.2 Alien residents of Hawaii proceeding to mainland; alien certificates.
- 128.3 Admission to mainland of aliens described in §§ 128.1 and 128.2.
- 128.4 Failure to present unexpired documents; presumption; procedure.
- 128.5 Citizens of United States residing in Hawaii; issuance of certificates.
- 128.6 Hawaiian certificates; applications.
- 128.7 Hawaiian certificates; lost or destroyed.
- 128.8 Hawaiian certificates; form of; preparation.
- 128.9 Hawaiian certificates; duplicates retained.
- 128.10 Hawaiian certificates; cancellation.

**AUTHORITY:** §§ 128.1 to 128.10, inclusive, contained in sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133; 8 CFR, 90.1. §§ 128.1 to 128.10, inclusive, interpret and apply sec. 1, 39 Stat. 874, sec. 28 (a), 43 Stat. 168; 8 U. S. C. 173, 224 (a).

§ 128.1 *Nonimmigrant arriving at Hawaii and proceeding to mainland; examination.* Nonimmigrant aliens arriving in Hawaii who intend later to proceed directly to the mainland of the United States may be admitted at Hawaiian ports for temporary stay or as incident to their transit through the United States to a foreign country (section 3 (2) and (3), Immigration Act of 1924 (43 Stat. 154; 8 U. S. C. 203)), and when so admitted their passports, or documents accepted in lieu of passports, shall be stamped and endorsed. Such aliens need not appear before the officer in charge at Honolulu for any further endorsement of status, when about to proceed directly to a port of continental United States, provided, the time of their proposed departure from continental United States will be within the period granted, and such departure can reasonably be accomplished.

§ 128.2 *Alien residents of Hawaii proceeding to mainland; alien certificates.* Aliens residing in Hawaii pursuant to lawful admission for permanent residence who signify to the officer in charge at Honolulu an intention to proceed directly to the mainland of the United States, and who are legally entitled to do so, shall be furnished alien certificates (Form I-146) by the said official as evidence of such residence, which certificates shall show date and status of such admission.

§ 128.3 *Admission to mainland of aliens described in §§ 128.1 and 128.2.* Aliens of the classes described in §§ 128.1 and 128.2 arriving at a continental United States port directly from Hawaii shall be admitted upon identification: *Provided*, That the period for which the alien visitors referred to in § 128.1 were originally admitted, or for which such admission has been extended, has not expired; that the period of time for transit has not expired; and that sufficient time remains to

permit of departure from the United States within the period specified; and: *Provided further*, That such aliens shall surrender to the appropriate immigration officer the certificates issued under § 128.2.

§ 128.4 *Failure to present unexpired documents; presumption; procedure.* When aliens of the classes mentioned in §§ 128.1 and 128.2 arrive at a continental United States port from Hawaii and fail to present the stamped and endorsed passports, or documents accepted in lieu thereof described in § 128.1, or the certificates described in § 128.2, it shall be presumed that they were not examined when entering Hawaii and, unless they satisfactorily establish lawful admission to Hawaii, shall be reported for arrest on such grounds as may be found applicable. As to those aliens who arrive at a continental United States port subsequent to the expiration of the period for which temporarily admitted, or whose departure will not occur within the period fixed upon for their departure, the examining officers, if satisfied that it is the intention of such aliens only to remain temporarily in the United States, shall advise them of the necessity for and the manner of making application for extension of their stay. Where there is reason to believe that aliens of the class covered by this part are seeking to remain permanently in the United States, warrant proceedings will be instituted.

§ 128.5 *Citizens of United States residing in Hawaii; issuance of certificates.* A resident of Hawaii who intends to depart temporarily from that Territory shall be granted a "Certificate of Citizenship—Hawaiian Islands" by the officer in charge at Honolulu, Hawaii, upon proving to the satisfaction of that official that he is a citizen of the United States, a bona fide resident of the Territory of Hawaii, and that he actually intends to depart temporarily. Such certificate may be retained by the person to whom issued. If the officer in charge at Honolulu is not satisfied that the applicant is entitled to this certificate, the application shall be denied and the applicant notified that he may appeal to the Attorney General from the adverse decision. Ten days will be allowed within which to file notice of appeal with such immigration officer. All evidence which was submitted in support of the application shall constitute the record and shall be forwarded to the Central Office in cases where appeals are taken.

§ 128.6 *Hawaiian certificates; applications.* Applications for the certificates shall be submitted on Form 108 in duplicate to the officer in charge at Honolulu.

§ 128.7 *Hawaiian certificates; lost or destroyed.* Duplicate certificates may be issued by the officer in charge at Honolulu upon satisfactory proof that the certificates have been unavoidably lost, destroyed, or mutilated, the Central Office to be advised in each case of the issuance of a duplicate.

§ 128.8 *Hawaiian certificates; form of; preparation.* In issuing the certificates described in § 128.5, care shall be exercised to have the original and duplicate

## RULES AND REGULATIONS

correspond in every detail. The certificate shall be prepared upon typewriter. The seal of the issuing officer should be impressed partly upon the photograph, but in such a manner as not to obscure any part of the face. All blank spaces remaining after writing in the data required to complete the identification of the person to whom the certificate is issued shall be covered by ruled lines so as to prevent the insertion of any additional word or words. Applicants for these certificates shall be required to furnish two suitable unmounted photographs of themselves, printed from the same negative that has not been retouched, representing the subject without hat, full front view, showing both ears, and measuring 2 by 2 inches, the distance from top of head to point of chin to be approximately 1½ inches. The photographs should be attached to the original and duplicate of the certificate with care to assure permanency and prevent warping. The height shall be carefully taken and inserted in feet and inches, and in recording physical marks and peculiarities those which are the most prominent and least likely to be obliterated by lapse of time shall be selected.

**§ 128.9 Hawaiian certificates; duplicates retained.** The duplicates of the certificates shall be filed in the office of the officer in charge at Honolulu, Hawaii, in such order that they may always be accessible for reference.

**§ 128.10 Hawaiian certificates; cancellation.** These certificates are issued for the purpose of facilitating travel and are to be presented by the person to whom issued to immigration officers as evidence in proof of citizenship for immigration purposes. The proper holders of such certificates will be admitted at any immigration port of entry. When it is ascertained that such a certificate is in the possession of a person to whom it was not issued, as shown by a comparison of such person with the photograph and personal description appearing thereon, or if at any time it should develop that such certificate was secured through fraud, the certificate shall be taken up and forwarded to the Central Office, with a report of the circumstances and recommendation as to whether it should be canceled. If it should be found that cancellation is proper, the certificate shall be returned to the officer in charge at Honolulu with instructions to mark both the original and duplicate thereof "Canceled" and to file the canceled certificate and duplicate for reference.

## PART 130—BOARDS OF SPECIAL INQUIRY

## Sec.

**130.1 Organization.**

**130.2 Hearings; representation; procedure.**

**130.3 Development of facts relating to penalties incurred by transportation company.**

**130.4 Medical examiner as witness.**

**130.5 Record in illiteracy cases.**

**130.6 Excluded alien; informed of rights.**

**130.7 Alien excluded for removable cause; reopening of case.**

**130.8 Alien certified for mental condition; right of medical appeal.**

**AUTHORITY:** §§ 130.1 to 130.8, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. §§ 130.1 to 130.8, inclusive, interpret and apply secs. 16, 17, 39 Stat. 885, 887, secs. 6, 7, 60 Stat. 240, 241; 8 U. S. C. 152, 153, 5 U. S. C., Sup., 1005, 1006.

**§ 130.1 Organization.** Each of the three members of a board of special inquiry prescribed by section 17 of the Immigration Act of 1917 (39 Stat. 887; 8 U. S. C. 153) shall be a person qualified for such membership as provided by § 60.29 of this chapter. The officer in charge shall designate one of the members as chairman. One of the members may act as secretary for the purpose of keeping the complete permanent record of the proceedings before the board and of all such testimony as may be produced before it.

**§ 130.2 Hearings; representation; procedure.** Boards of special inquiry shall determine all cases as promptly as circumstances permit, due regard being had to the necessity for giving the alien a fair hearing. Hearing before the boards shall be separate and apart from the public. At the hearing the alien shall be accorded the right to be represented by an attorney or other person qualified to appear in accordance with the provisions of Part 95 of this chapter. The alien shall also be accorded the right to have one friend or relative present: *Provided*, That, if such friend or relative is a witness, he has already completed his testimony. During the preliminary part of the hearing the alien shall be advised of these rights and there shall be entered in the record the exact language in which he is so advised and of his reply. If the alien desires to have counsel or a friend or relative present, he shall be given a reasonable, fixed period of time within which to arrange for such presence. No further time for that purpose shall be granted except upon showing of good and sufficient cause therefor. The board of special inquiry may examine the alien and any witnesses for the Government, cross-examine any witnesses produced in behalf of the alien, rule upon objections, introduce material and relevant evidence in behalf of the Government or the alien, and otherwise regulate the course of the hearing and exercise such other powers and authority as are conferred upon such boards by law and regulations. During the course of the hearing, the attorney, or other person qualified to represent the alien as herein prescribed, shall be permitted to examine the alien and he, or the alien, shall be permitted to examine any witnesses offered in the alien's behalf, to cross-examine any witnesses called by the Government, to offer evidence material and relevant to any matter in issue, and to make objections, which shall be stated succinctly and entered on the record. Argument in support of objections and any irrelevant, immaterial, or unduly repetitious evidence shall be excluded from the record.

**§ 130.3 Development of facts relating to penalties incurred by transportation company.** In all cases in which there is any reason, other than the issuance of a surgeon's certificate, for believing that

any one of the administrative fines prescribed by the law, and specified in Part 160, may have been incurred, boards shall be careful to develop in the course of their hearings all facts and circumstances material to a determination of the transportation company's liability to such fine.

**§ 130.4 Medical examiner as witness.** Where the certificate of the medical examiner fails to describe particularly the nature, character, and extent of the physical defect which it is certified may affect the ability of the alien to earn a living, boards of special inquiry shall call such examiner as a witness and interrogate him fully as to the particular nature, character, and extent of the affliction certified. Such testimony shall be made a part of the record.

**§ 130.5 Record in illiteracy cases.** In all cases where the reading test is applied and aliens are rejected as unable to read, the board record shall, in addition to the card number, clearly set forth (a) that the alien designated the particular language used in the test, (b) the complete English text appearing on the card, (c) the definite finding by the board as to the degree in which the alien failed to read, and (d) if the alien claims to be within any class exempted from the test, a definite finding by the board as to the validity of such claim.

**§ 130.6 Excluded alien; informed of rights.** Where an alien is excluded by a board of special inquiry, he shall be advised of the decision of said board and the reason therefor, and when entitled to appeal to the Commissioner of Immigration and Naturalization, he shall be so advised: *Provided*, That the exact language employed in advising the alien of his right to appeal, together with a full and accurate transcript of the alien's reply, shall be inserted in the record and made a part thereof. An excluded alien shall be informed that the return voyage is at the expense of the transportation company which brought him and that such transportation company must return him in the same class in which he came. The fact that he has been so informed shall be entered in the record.

**§ 130.7 Alien excluded for removable cause; reopening of case.** Where an alien is excluded merely because of non-possession of a visa, or for any cause which can readily be removed or overcome, the case may be reopened within a period of six months from the date of original exclusion without the alien being required to obtain the permission to reapply for admission prescribed in § 110.51 of this chapter. For statistical purposes, the case of an alien excluded for removable causes shall be considered as a completed case at the time of exclusion and any case reopened within six months shall be considered as a new case.

**§ 130.8 Alien certified for mental condition; right of medical appeal.** An alien certified for insanity or mental defect shall be advised of his right to appeal to a board of medical officers of the United States Public Health Service, and

that he may introduce before such board one expert medical witness at his own cost and expense. The exact language employed in so informing the alien of his rights, together with a full and accurate transcript of his reply, shall be inserted in the record and made a part thereof. In the event the alien desires to appeal to such medical board the officer in charge at the port, in conformity with regulations prescribed by the United States Public Health Service, shall make such arrangements with the office of the Surgeon General as may be necessary for the convening of such medical board without the case being first reported to the Central Office.

**PART 132—READMISSION AND TEMPORARY ADMISSION**

**Sec.**

- 132.1 Aliens returning to unrelinquished domicile; domicile defined.
- 132.2 Temporary admission from contiguous territory; medical treatment; mandatorily excludable alien.
- 132.3 Temporary admission or transit denied, without advance consent, to certain aliens.
- 132.4 Excludable aliens applying at seaports for temporary admission without advance consent; procedure.
- 132.5 Aliens imported to perform labor during wartime.

**AUTHORITY:** §§ 132.1 to 132.5, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. §§ 132.1 to 132.5, inclusive, interpret and apply sec. 3, 39 Stat. 875; 8 U. S. C. 136 (p), (q).

**§ 132.1 Aliens returning to unrelinquished domicile; domicile defined.** Aliens returning after a temporary absence to an unrelinquished United States domicile of seven consecutive years may be admitted in the discretion of the Attorney General and under such conditions as he may prescribe. In such case satisfactory proof of domicile in the United States for seven consecutive years, and of departure therefrom with the intention of returning thereto, will be exacted. Every case of exclusion for any cause in which the alien has given such proof, shall be promptly brought by the official in charge to the attention of the Attorney General, through the usual official channels, with a complete report of the reasons for the alien's exclusion and of the proof which has been offered of continuous and unrelinquished domicile, together with a statement of the duration of the absence. Domicile, for the purposes of this section, means that place where a person has his true, fixed, and permanent home, and principal establishment, to which, whenever he is absent, he has the intention of returning.

**§ 132.2 Temporary admission from contiguous territory; medical treatment; mandatorily excludable alien.** Aliens mandatorily excluded and seeking temporary admission from foreign contiguous territory for the purpose of undergoing medical or surgical treatment in the United States may be admitted for such purpose when it appears to the satisfaction of the officer in charge that an emergency exists for immediate medical or surgical aid, and if such alien shall

furnish satisfactory guaranty or a bond with approved surety in the penal sum of not less than \$500 conditioned that he will depart from the United States when such medical or surgical treatment is completed. Aliens of the class referred to, seeking temporary admission for the purpose of entering a private or public hospital, sanitarium, or medical institution for treatment, may be admitted for such purpose when it satisfactorily appears to the officer in charge that the designated private or public hospital or sanitarium or medical institution which the alien has arranged to enter for treatment has on file with the Central Office a bond covering such case and properly conditioned that aliens treated in such designated hospital, sanitarium, or institution, will depart from the United States when such treatment is completed. In either case above referred to the alien may be required in the discretion of the officer in charge to submit in duplicate an unmounted photograph of himself 2 by 2 inches in size, the distance from the top of head to point of chin to be approximately 1 1/4 inches. All other applications made by the mandatorily excluded classes for temporary admission from foreign contiguous territory shall be submitted to the Central Office for special ruling.

**§ 132.3 Temporary admission or transit denied, without advance consent, to certain aliens.** Temporary admission to the United States, or for the purpose of proceeding in transit through the United States, or to proceed from a port thereof directly or by way of any other United States port or ports to a foreign port, will not be granted in the case of any alien brought to a seaport of the United States (or in the case of a transit alien who is brought to a designated Canadian seaport), who at the time of arrival is within any of the classes of aliens hereafter described in this section, unless prior to departure from abroad consent shall have been obtained from the Attorney General for the alien's temporary admission to the United States, and if upon arrival he is found not to be within any of such classes other than as stated in the application for such consent; any alien afflicted with idiocy, insanity, imbecility, feeble-mindedness, epilepsy, constitutional psychopathic inferiority, chronic alcoholism, tuberculosis in any form, or a loathsome or dangerous contagious disease, if it appears to the satisfaction of the Attorney General that the alien was so afflicted at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, or any alien who is found to be excludable under the provisions of section 3 of the Immigration Act of 1917 (39 Stat. 875; 8 U. S. C. 136), because found to be unable to read, or as a native of that portion of the continent of Asia and the islands adjacent thereto described in said section, if it appears to the satisfaction of the Attorney General that these disabilities might have been detected by the exercise of reasonable precaution prior to the departure of such alien from abroad.

**§ 132.4 Excludable aliens applying at seaports for temporary admission without advance consent; procedure.** The cases of all aliens of the excludable classes brought to seaports of the United States who apply for temporary admission, except cases within § 132.3, shall be submitted to the Department for special ruling.

**§ 132.5 Aliens imported to perform labor during wartime.** (a) Any alien who applies for temporary admission into the United States under Title VII of Public Law 373 of June 28, 1944 (58 Stat. 547), shall establish to the satisfaction of the examining immigrant inspector:

(1) That he is seeking admission as one of a specific group of workers who are being imported by the War Manpower Commission for employment in the continental United States with industries and services essential to the war effort; he shall present an alien laborer's identification card (Form I-100) identifying him as such; such card shall be prepared either prior to embarkation or at the port of entry;

(2) That he is a native-born resident of a foreign country within the Western Hemisphere and that he is not an enemy alien, by the furnishing of a birth certificate or other acceptable evidence;

(3) That he is in all respects admissible under the provisions of the immigration laws except:

(i) The provisions of section 3 of the Immigration Act of February 5, 1917, relating to contract laborers, the requirements of literacy, and the payment of passage by corporations, foreign governments, or others;

(ii) The provisions of section 3 of the Immigration Act of February 5, 1917, and section 1 of the act of March 4, 1929, requiring permission of the Attorney General to reapply for admission in the case of any alien previously arrested and deported or excluded and deported solely because of illegal entry or absence of required documents, if such deportation has not occurred on more than one occasion, and such alien establishes that he is otherwise entitled to temporary admission as a worker under the provisions of this section;

(iii) The requirements of section 2 of the Immigration Act of February 5, 1917, relative to the payment of head tax;

(iv) The prohibitions contained in sections 5 and 6 of the Immigration Act of February 5, 1917;

(v) The provisions of the laws and regulations relating to documents required of aliens entering the United States; and

(vi) The provisions of Title III of the Alien Registration Act of 1940 relating to the registration of aliens.

(4) That if admitted he will comply with the conditions of such admission.

(b) An alien found admissible under the provisions of this section shall be fingerprinted as provided in § 115.3 of this chapter relating to agricultural workers.

(c) Any such alien shall be admitted, without any requirement of bond, for the period of the validity of his contract entered into pursuant to an agreement between the government of the United

## RULES AND REGULATIONS

States and the government of the country of which he is a native-born resident, but not exceeding one year, on condition that he maintain the status of a worker under the terms of the contract, and depart from the United States at the expiration of his admission or any extension thereof.

(d) An alien admitted under the provisions of this section who fails to maintain the status under which he was admitted or who fails to depart from the United States in accordance with the conditions of his admission, shall be deemed to be unlawfully in the United States and shall be taken into custody and deported in accordance with the applicable provisions of Part 150 of this chapter.

## PART 134—ASSISTANCE TO ADMITTED ALIENS

**§ 134.1 Admitted alien assisted; when.** Notwithstanding admission, and for reasons satisfactory to the officer in charge, any alien may remain a few days at an immigration station upon payment of actual expenses. If in such a case the delay in leaving the immigration station is due to accident or other unavoidable circumstances and the alien is without sufficient means to defray the expenses incident thereto, the immigration officer in charge, in his discretion, may authorize such expense, reporting the case promptly to the Central Office with full reasons for his action and requesting that the authorization be ratified. (Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1)

## PART 136—APPEALS FROM DECISIONS BY BOARD OF SPECIAL INQUIRY

Sec.	
136.0	Definitions.
136.1	Who may appeal.
136.2	When no appeal lies.
136.3	Time for filing appeal.
136.3a	Manner of taking an appeal.
136.3b	Findings and conclusions; brief.
136.4	Forwarding appeal record.
136.5	Cases reopened by Central Office or Department.
136.6	Reopening of hearing.
136.7	Notice of decision on appeal; appeal from order of Commissioner; abandoned applications for admission.
136.8	Waiver of rights.

AUTHORITY: §§ 136.0 to 136.8, inclusive, is sued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. §§ 136.0 to 136.8, inclusive, interpret and apply secs. 16, 17, 39 Stat. 885, 887, sec. 8 (b), 60 Stat. 242; 8 U. S. C. 152, 153, 5 U. S. C. Sup., 1007.

**§ 136.0 Definitions.** The term "appeal" when used in §§ 136.1 to 136.8, inclusive, means an appeal taken from the decision of a board of special inquiry. The term "appeal" when used in § 136.7 means an appeal taken from the decision of a board of special inquiry or an appeal taken from an order of the Commissioner entered in exclusion proceedings, whichever is indicated.

**§ 136.1 Who may appeal.** An alien desiring to appeal may do so individually or through any society admitted to an immigration station or through any relative or friend or through any person, including attorneys permitted to practice before the immigration authorities. Where such an appeal has been taken, any further appeal shall be disregarded. Appeals purporting to be filed on behalf of an alien but without his knowledge or consent previously obtained may be ignored. A board member who dissents from a majority vote also may take an appeal. In such a case the alien shall be allowed the same opportunity for representation as though the appeal were his, but his brief or argument must be submitted at the same time that the board member's appeal is forwarded to the Central Office. When an alien is certified for a physical defect other than tuberculosis in any form or a loathsome contagious or dangerous contagious disease, the board of special inquiry must decide on the basis of all the evidence (including the medical certificate) whether or not such certified defect may affect his ability to earn a living. An alien rejected on said ground is entitled to appeal.

**§ 136.2 When no appeal lies.** No appeal lies where the decision of a board of special inquiry, based upon the certificate of the examining medical officer, as required by section 17 of the Immigration Act of 1917 (39 Stat. 887; 8 U. S. C. 153), rejects an alien because (a) he is afflicted with tuberculosis in any form or a loathsome contagious or dangerous contagious disease, or (b) he is an idiot or an imbecile or an epileptic or is insane or feeble-minded, or (c) he is afflicted with constitutional psychopathic inferiority or has any mental defect or is a chronic alcoholic.

**§ 136.3 Time for filing appeal.** Appeals must be filed promptly. The officer in charge may refuse to accept an appeal filed after the alien has been removed from an immigration station for deportation, provided the alien has had a reasonable opportunity to appeal before such removal. Any appeal filed more than 48 hours after the time of an excluding decision may be rejected by the officer in charge in his discretion.

**§ 136.3a Manner of taking an appeal.** An alien may, except as prohibited by § 136.2, take an appeal from the excluding decision of a board of special inquiry and shall be informed that he may appeal merely by stating for the record, as prescribed in § 130.6 of this chapter, that he desires to appeal. If, during the examination by the board of special inquiry, he states that he does not desire to appeal or that he will decide later whether to appeal, he shall be informed that any subsequent notice of appeal shall be sufficient if made in writing and made in accordance with the applicable provisions of this part and Part 130 of this chapter. A notation of any such notice shall be entered in the record of the examination.

**§ 136.3b Findings and conclusions; brief.** The board of special inquiry shall, in all cases, at the time of announcing its decision make a brief statement for the record of its findings of material and relevant facts and conclusions of law upon which its decision rests. Where an allowable appeal is properly entered, a transcript of the record of proceedings, including a full statement of the findings of fact and conclusions of law necessary to a consideration of the record on appeal, shall be made and the alien or his counsel or a dissenting member of the board who takes such an appeal shall be lent a copy of such transcript and allowed by the officer in charge at the port a reasonable time, as prescribed in § 136.4, in which to file exceptions to the findings, conclusions, and decision of the board and a brief.

**§ 136.4 Forwarding appeal record.** The complete appeal record, including the immigration visa or permit to reenter the United States, and any brief or argument filed by the appellant, his attorney, or his representative shall be forwarded promptly to the Commissioner of Immigration and Naturalization. The officer in charge shall in his discretion allow whatever time is reasonable, as indicated by the nature of the case, for the preparation and filing of briefs or arguments.

**§ 136.5 Cases reopened by Central Office or Department.** Whenever a case is referred back to a board of special inquiry in order that additional evidence may be taken, such case is thereby reopened; and after the new evidence has been taken, the board of special inquiry shall render a new decision, in which it may, in its discretion, reaffirm, alter, or reverse its previous decision. The mere action of referring back a case under such circumstances is not to be taken as an indication of any disapproval of the decision of the board of special inquiry or of what the new decision should be.

**§ 136.6 Reopening of hearing.** (a) After a final order by either the Commissioner or the Board of Immigration Appeals, the hearing shall be reopened only in accordance with § 90.10 (a) or § 90.11 (b) of this chapter, except that where a final order affirming an excluding decision has been entered, local immigration officials may stay deportation and request permission to reopen the case upon learning of new evidence which in their opinion is of such relevancy and materiality as, in justice to the alien or the United States, requires consideration by the board of special inquiry. Any such request of the local immigration officials shall contain a brief statement of the general nature of the new evidence and shall be submitted to the Commissioner. He shall act upon the request unless the final order has been entered by the Board of Immigration Appeals, in which event the request shall be acted upon by the Board.

(b) Where a final order has not been entered, either the alien, his counsel or representative, or the local immigration officials may request reopening of the hearing. Any such requests shall contain a brief statement of the general na-

ture of the new evidence. The request shall be acted upon by the officer in charge if the record has not been forwarded to the Commissioner. If the record has been forwarded, the Commissioner shall act upon the request if the case is pending before him. If the case is pending before the Board of Immigration Appeals, the Commissioner shall forward the request to the Board. The Board shall consider the request and either remand the case for further hearing or deny the request and render a decision on the record. Upon receipt of permission to reopen the hearing, the board of special inquiry shall again acquire full control of the case as provided in § 136.5.

**§ 136.7 Notice of decision on appeal; appeal from order of Commissioner; abandoned applications for admission.** (a) The Commissioner, or officers designated by him in accordance with § 90.1 of this chapter, shall consider and determine all appeals entered from decisions of boards of special inquiry. The Commissioner shall notify the appropriate field office of his decision and shall, in accordance with § 90.9 of this chapter, serve his decision and order upon the alien or his counsel or representative. Further proceedings shall be had in accordance with the provisions of Part 90 of this chapter.

(b) If the decision on appeal provides for the reopening of the case or for the admission of the alien and he is in contiguous territory and does not appear for the reopened hearing or for admission to the United States within whatever period of time is specified in the decision or, where no such period is specified, within 60 days after the date of the notice addressed to him at his last known address, he shall be regarded as having abandoned his application for admission to the United States and the proceedings in his case shall be closed without prejudice to any future application. Any subsequent application for admission shall be considered as a new application.

**§ 136.8 Waiver of rights.** An alien or his counsel may waive any of the rights which accrue to the alien under the provisions of Part 130 of this chapter or this part and any such waiver shall be noted in the record of the proceedings before the board of special inquiry.

#### PART 140—MEDICAL OFFICERS AND HOSPITAL TREATMENT

##### Sec.

- 140.1 Medical officers; to whom responsible.
- 140.11 Contagious disorder of alien wife or minor child of naturalized citizen or permanent resident alien.
- 140.12 Hospital treatment of wife or minor child of naturalized citizen; conditions.
- 140.13 Hospital treatment of wife or minor child of resident alien; conditions.
- 140.14 Hospital treatment; to prevent unusual hardship or suffering.
- 140.15 Application for hospital treatment for wife or minor child.
- 140.16 Naturalization; proof.
- 140.17 Permanent residence; definition.

##### Sec.

- 140.18 Hospital treatment; documents to accompany application.
- 140.19 Breach of conditions of bond; consequences.
- 140.20 Alien's right, and transportation company's liability, not affected by hospital treatment.
- 140.21 Citizens treated as aliens; payment of hospital expense.

**AUTHORITY:** §§ 140.1 to 140.21, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1, §§ 140.1 to 140.21, inclusive, interpret and apply sec. 15, 39 Stat. 885, 58 Stat. 816, sec. 16, 39 Stat. 885, 58 Stat. 714, 60 Stat. 1049, sec. 22, 39 Stat. 891; 8 U. S. C. and Sup., 151, 152, 159.

**§ 140.1 Medical officers; to whom responsible.** Medical officers detailed for any duty under the immigration law shall, in matters of administration, be under the direction of the officer in charge at the port to which they may be detailed. In considering and determining medical questions such officers are to be guided by the instructions issued by the Surgeon General of the Public Health Service.

**§ 140.11 Contagious disorder of alien wife or minor child of naturalized citizen or permanent resident alien.** Where an alien, otherwise admissible, is certified upon arrival to be afflicted with any contagious disorder and is (a) the wife or minor child of an alien who is shown to have taken up his permanent residence in the United States; (b) the alien wife of a naturalized citizen married to him abroad prior to his naturalization; or (c) the minor child of a naturalized citizen born abroad to him prior to his naturalization, such alien shall be held until it is ascertained whether the disorder will be easily curable or whether landing can be permitted without danger to others. Deportation shall occur promptly with respect to such wife and minor child when it is ascertained that the disorder is not easily curable or that the alien cannot be landed without danger to others, but if it shall be determined that the disorder is easily curable, and the husband or father or other responsible person is willing to bear the expense of treatment, such alien, if otherwise admissible and upon proper application under section 22 of the Immigration Act of 1917 (39 Stat. 891; 8 U. S. C. 159), may be accorded treatment in a hospital until cured and thereupon admitted. Examining surgeons shall include, so far as possible, in their certificate for contagious disorder, statement as to whether or not the disorder will be easily curable and whether or not the person certified can be permitted to land without danger to other persons.

**§ 140.12 Hospital treatment of wife or minor child of naturalized citizen; conditions.** No application for hospital treatment on behalf of the wife or minor child of a naturalized citizen shall be considered unless it affirmatively appears in such application that the applicant or someone in his behalf has deposited with the proper hospital official

a sum sufficient to defray the cost of such treatment for a period of 60 days or for a less period if it is estimated that a cure may possibly be effected in less than 60 days, and that a bond has been furnished on Form I-355 with approved surety in the sum of not less than \$500 conditioned that at least 15 days prior to the expiration of the period above referred to a further deposit of cash will be made sufficient to cover the cost of treatment for an additional period of 30 days; and that a remittance of a similar amount every 15 days prior to the expiration of the period covered by such deposit shall be made until the alien is cured and permanently landed or the case otherwise disposed of; and that a sum sufficient to defray the cost of forwarding such alien to final destination will be furnished when and if needed, and, in the event such alien is a person who, from infancy or other cause, will require an attendant to accompany him to final destination if landed, or to the country of origin if eventually deported, that such an attendant, or funds sufficient to defray the cost of employing one, will be furnished: *Provided*, That where it affirmatively appears to the satisfaction of the Department that the husband or father is unable to pay the expense of the hospital treatment, such treatment may be accorded at the expense of the appropriation for the enforcement of the Immigration Act.

**NOTE:** § 140.12, as set forth above, has been amended effective Sept. 1, 1947.

**§ 140.13 Hospital treatment of wife or minor child of resident alien; conditions.** No application made on behalf of the wife or minor child of an alien who shall have taken up his permanent residence in the United States shall be considered unless the cash deposit and bond provided for in § 140.12 are furnished as required in said section.

**§ 140.14 Hospital treatment; to prevent unusual hardship or suffering.** No application for hospital treatment made on behalf of an alien certified by the proper medical officer to be suffering from tuberculosis in any form or from a loathsome contagious or dangerous contagious disease, other than one of quarantinable nature, as provided in section 18 of the Immigration Act of 1917 (39 Stat. 887; 8 U. S. C. 154), shall be considered unless it affirmatively appears to the satisfaction of the Department that to refuse such hospital treatment would be inhumane or cause unusual hardship or suffering: *Provided*, That if, upon arrival, the condition of the alien is such as to require immediate hospital treatment, such hospital treatment may be accorded when, in the opinion of the official in charge, a denial of such treatment, pending authorization therefor by the Department, will cause unusual hardship or suffering: *And provided further*, That in such case the action of such official shall be reported forthwith to the Department for the necessary authorization.

## RULES AND REGULATIONS

**§ 140.15 Application for hospital treatment for wife or minor child.** Application for hospital treatment arising under the provisions of section 22 of the Immigration Act of 1917 (39 Stat. 891; 8 U. S. C. 159), made in behalf of the wife or minor child of a naturalized citizen or in behalf of the wife or minor child of an alien having a permanent residence in this country, or application for hospital treatment arising under the provisions of section 18 of said act (39 Stat. 887; 8 U. S. C. 154), shall be made to the officer in charge within the time allowed for filing appeals and by such officer immediately forwarded to the Central Office for presentation to the Department.

**§ 140.16 Naturalization; proof.** The presentation of a naturalization certificate and identification of the presenter as the rightful holder thereof shall be accepted as satisfactory proof of naturalization.

**§ 140.17 Permanent residence; definition.** The term "permanent residence" in §§ 140.11, 140.13, and 140.15, shall be understood to mean that place where a person has his true, fixed, and permanent home and principal establishment to which, whenever he is absent, he has the intention of returning, and shall be established by evidence satisfactory to the Department.

**§ 140.18 Hospital treatment; documents to accompany application.** The official in charge shall forward with the application a transcript of the board hearing and a certificate of a Public Health Service Surgeon showing the character and extent of the alien's affliction and estimating the duration of treatment required to effect a cure, and may make such recommendation as he deems proper.

**§ 140.19 Breach of conditions of bond; consequences.** If the application is granted and there is a failure to observe the terms of the bond exacted, report thereof shall be made to the Central Office, to the end that the conditions of the bond may be enforced and the alien deported. Any balance of a deposit remaining unexpended when the alien is cured or released shall be returned to the depositor. The cost of hospital treatment may be charged against the deposit from the time the petition was filed and until the alien has been either admitted or deported.

**§ 140.20 Alien's right, and transportation company's liability, not affected by hospital treatment.** The treatment of an alien under §§ 140.11-140.21, shall not be construed to alter in any manner the status of the alien with reference to his right to enter or remain in the United States, nor to affect in any manner the liability of transportation companies under the Immigration Act of 1917 (39 Stat. 874), and the rules and regulations made in pursuance thereof.

**§ 140.21 Citizens treated as aliens; payment of hospital expense.** If any arriving passenger apparently an alien is placed in hospital under any provision

of §§ 140.11-140.21 that does not require expenses of hospital treatment to be paid by other than transportation companies, and it is subsequently shown that such passenger is in fact a United States citizen, the expense of treatment up to the time satisfactory proof of citizenship is furnished shall be borne by the transportation company or by the vessel on which such passenger arrived.

**PART 142—PREEEXAMINATION OF ALIENS WITHIN THE UNITED STATES**

Sec.	
142.1	Preexamination; who may apply.
142.2	Preexamination; aliens eligible.
142.3	Preexamination; application; where deportation proceedings have not been instituted.
142.4	Preexamination; application; where deportation proceedings have been instituted.
142.5	Preexamination; authorization.
142.7	Preexamination; notification of authorization.
142.8	Preexamination; place and time.
142.9	Preexamination; documents to be presented.
142.10	Preexamination; medical examination.
142.11	Preexamination; primary inspector.
142.12	Preexamination; board of special inquiry.
142.13	Preexamination; where alien found unqualified.
142.14	Preexamination; where alien found inadmissible.
142.15	Preexamination; appeal by dissenting inspector.
142.16	Preexamination; where alien found admissible.
142.17	Preexamination; readmission with immigration visa.
142.18	Preexamination; readmission without immigration visa.
142.19	Preexamination; reports.
142.20	Preexamination; repeal of prior regulations and instructions.

**AUTHORITY:** §§ 142.1 to 142.20, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 1337; 8 CFR, 90.1.

**§ 142.1 Preexamination; who may apply.** An alien who is a member of any of the following classes and who intends to apply to a consular officer of the United States in Canada for an immigration visa for entry into the United States for permanent residence may, subject to the provisions of this part, apply for the privilege of a preexamination by officers of the Immigration and Naturalization Service for the purpose of determining in advance his admissibility into the United States for permanent residence when in possession of an unexpired immigration visa:

(a) An alien—other than a citizen of Canada, Mexico, or any of the islands adjacent to the United States—who has been within the United States for a period of one year or more and who has a spouse, parent, or minor child, who is in the United States and is a citizen thereof or is a lawfully permanent resident alien;

(b) An alien—other than a citizen of Canada, Mexico, or any of the islands adjacent to the United States—who has resided in the United States for a period of five years or more; or

(c) An alien—other than a citizen of Canada—whose case is found to be an exceptionally meritorious case.

**§ 142.2 Preexamination; aliens eligible.** Preexamination shall not be authorized unless it appears to the officer granting such authorization that the alien is:

- (a) Admissible to Canada;
- (b) Of good moral character;
- (c) Registered and/or fingerprinted as required by the Alien Registration Act, 1940; and

(d) Able to obtain the prompt issuance of an immigration visa in case it is determined that he is admissible to the United States for permanent residence.

**§ 142.3 Preexamination; application; where deportation proceedings have not been instituted.** Application for preexamination shall be made in triplicate on Forms I-255 and I-55 and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The application may be filed separately or in conjunction with a petition on Form I-133 for nonquota or preference quota status under § 165.1 of this chapter. Where the application for preexamination is filed at a field office, either separately or with Form I-133, the field office shall retain the triplicate copies of Forms I-255 and I-55 and forward the rest of the forms to the Central Office.

**§ 142.4 Preexamination; application; where deportation proceedings have been instituted.** Where the applicant is the subject of deportation proceedings, the application shall be filed as provided in § 150.6 (g) of this chapter.

**§ 142.5 Preexamination; authorization.** The Commissioner or a designated official in the Central Office shall have authority to authorize the preexamination of any alien eligible under the provisions of § 142.2.

**§ 142.7 Preexamination; notification of authorization.** The Central Office shall in all cases furnish notice of the decision to the field office, which shall in turn notify the applicant in writing of the decision and shall, where the decision is that preexamination is authorized, at the same time notify him that preexamination will not be accorded him unless or until he has submitted to the United States consul to whom he intends to apply for a visa the necessary documents in support of his visa application and has received from the consular officer written assurance that such documents appear sufficient and satisfactory on their face and that a visa will be promptly available if, upon personal examination by the consul, he is found to be eligible for a visa.

**§ 142.8 Preexamination; place and time.** The immigration office at which the alien may present himself for preexamination shall be designated in the authorization; and the preexamination shall be conducted as soon as practicable after authorization and after the alien has complied with the provisions of § 142.7. In the event that the alien

fails within a reasonable time to meet the conditions of § 142.7, or to present himself for preexamination after having done so, the officer in charge of the designated office shall report to the Central Office, and may recommend that the authorization be revoked.

**§ 142.9 Preexamination; documents to be presented.** When presenting himself for preexamination, an alien shall produce:

(a) The notification in writing that preexamination has been authorized.

(b) Written assurance from the consul to whom he intends to apply for an immigration visa that his documents appear sufficient and satisfactory on their face and that a visa will be promptly available for issuance to the alien if, upon personal examination by the consul, he is found to be eligible therefor.

(c) Four photographs of himself, size 2 inches by 2 inches, the distance from the top of head to point of chin to be approximately 1 1/4 inches, unmounted, printed on thin paper with a light background clearly showing a full front view of the features of the alien without hat, which photographs shall have been taken within 30 days of the date when they are furnished.

**§ 142.10 Preexamination; medical examination.** (a) Any alien presenting himself for preexamination shall be examined by medical officers authorized to conduct the physical and mental examination of arriving aliens under the provisions of section 16 of the Immigration Act of 1917 who shall certify for the information of the immigration officers and the boards of special inquiry any and all physical or mental defects or diseases observed by such medical officers in any such alien. Any alien certified for insanity or mental defect may appeal to the board of medical officers of the United States Public Health Service as provided in section 16 of the Immigration Act of 1917.

(b) Where the preexamination is to be conducted at a place where no officers of the United States Public Health Service are detailed for the purpose, a certificate from a civil physician of not less than four years' professional experience, preferably one designated by the United States Public Health Service or Veterans' Administration, may, in the discretion of the officer in charge, be accepted. The officer in charge shall note in writing on the face of the certificate his approval of such acceptance.

**§ 142.11 Preexamination; primary inspector.** The preexamination shall be conducted in the first instance by an immigrant inspector, known as the primary inspector. It shall consist of a thorough examination into the admissibility of the alien into the United States when in possession of an unexpired immigration visa. The primary inspector shall prepare in duplicate Form I-448, "Manifest Data," which together with the application for preexamination, medical certificate, documents required in § 142.9, and other pertinent documents presented, shall constitute the record in the case.

If the primary inspector is not satisfied that the alien is clearly and beyond a doubt entitled to admission when in possession of an unexpired visa, he shall certify the record to the officer in charge of the office with a recommendation that a board of special inquiry be convened.

**§ 142.12 Preexamination; board of special inquiry.** A board of special inquiry may be convened at any immigration office whenever necessary to determine the admissibility of an alien when such determination is requested by a primary inspector in preexamination proceedings. The appointment and procedure of such boards of special inquiry shall be governed by section 17 of the Immigration Act of 1917 and by Part 130 of this chapter. The board of special inquiry shall enter, as an exhibit in its record, the entire record before the primary inspector and shall conduct whatever further examination is necessary to determine the alien's admissibility into the United States.

**§ 142.13 Preexamination; where alien found unqualified.** In all preexamination proceedings the primary inspector or the board of special inquiry, as the case may be, shall first inquire into the question of whether or not the alien is qualified for preexamination under the provisions of §§ 142.1 and 142.2. If it shall appear that the alien is not entitled to the privilege of preexamination, further examination shall be suspended and the record transmitted to the Central Office accompanied in appropriate cases by an application for a warrant of arrest.

**§ 142.14 Preexamination; where alien found inadmissible.** Where an alien is held inadmissible by a board of special inquiry in preexamination proceedings (for cause other than the lack of an unexpired immigration visa), the alien may appeal from the decision to the Commissioner of Immigration and Naturalization and further proceedings shall be had in accordance with the provisions of Part 90 of this chapter: *Provided, however,* That the decision of a board of special inquiry shall be based upon the certificate of the examining medical officer and except as provided in section 21 of the Immigration Act of 1917, shall be final as to the rejection of aliens afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical defect which would bring such aliens within any of the classes excluded from admission to the United States under section 3 of that act.

**§ 142.15 Preexamination; appeal by dissenting inspector.** Subject to the limitations in the proviso in § 142.14, a dissenting inspector may appeal from the decision of a board of special inquiry to the Commissioner of Immigration and Naturalization and further proceedings shall be had in accordance with the provisions of Part 90 of this chapter. In the event of an appeal by a dissenting inspector, no further proceedings shall be taken in the case pending the outcome of the appeal.

**§ 142.16 Preexamination; where alien found admissible.** An alien found in preexamination proceedings to be admissible to the United States when in possession of an unexpired immigration visa shall be furnished with a sealed communication to the Canadian immigration officer in charge of the Canadian port at which he intends to apply for admission to Canada, and with a border crossing card Form No. I-165, bearing a photograph and description of the alien and valid for a single reentry to the United States if the alien is admitted to Canada within four months from the date of issuance specified on the card. The letter to the Canadian officer shall state the purpose of the alien's visit; shall guarantee that the alien, if admitted to Canada while in possession of an unexpired border crossing card, will be readmitted to the United States; and shall have the alien's photograph securely attached. The border crossing card issued to the alien shall be taken up by the United States immigration officer at the port of reentry to the United States. If reentry is to be made at a place other than that where the preexamination was conducted, Form I-448 in duplicate, a copy of the Canadian letter, and duplicate copy of the border crossing card with photograph attached, shall be sent to the port of proposed reentry prior to the alien's departure to Canada.

**§ 142.17 Preexamination; readmission with immigration visa.** Any alien found admissible in preexamination proceedings to whom an immigration visa has been issued shall be admitted to the United States for permanent residence upon presentation of such visa and of his border crossing card, unless for reasons developed subsequently to the preexamination it shall appear that he is inadmissible in which event he shall be permitted to reenter for the sole purpose of being taken into custody by the immigration officers at the port of reentry who shall make a record of such limited reentry and at once apply to the Central Office for a warrant of arrest in deportation proceedings.

**§ 142.18 Preexamination; readmission without immigration visa.** Any alien found admissible in preexamination proceedings to whom an immigration visa has been thereafter denied shall be permitted to reenter the United States at the designated port of reentry upon presentation of his border crossing card; but such alien, if not in possession of documents authorizing his temporary residence in the United States, shall be taken into custody by the immigration officers at the port of reentry who shall make a record of such limited reentry and at once apply to the Central Office for a warrant of arrest in deportation proceedings.

**§ 142.19 Preexamination; reports.** The port of reentry shall inform the Canadian officers in charge at the port of entry into Canada as to the readmission of all aliens admitted pursuant to the provisions of this part.

## RULES AND REGULATIONS

**§ 142.20 Preexamination; repeal of prior regulations and instructions.** All regulations, rules and instructions heretofore issued which are inconsistent with this part are hereby repealed: *Provided, however,* That such repeal shall not affect any proceedings or parts of proceedings which have taken place prior to the effective date of this part as here promulgated.

**PART 145—EXCLUSION AND DEPORTATION**

Sec.

- 145.1 Notice to alien of affirmation of excluding decision.
- 145.2 Notice to master of vessel of alien's exclusion.
- 145.3 Notice to immigration officer of sailings.
- 145.4 Alien placed on board; when.
- 145.5 Aliens rejected at Canadian ports to be returned by transportation company.
- 145.6 Aliens rejected; return to country of embarkation.

**AUTHORITY:** §§ 145.1 to 145.6, inclusive, issued under the authority contained in sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U.S.C. 102, 222, 458, 5 U.S.C. 1337; 8 CFR, 90.1. §§ 145.1 to 145.6, inclusive, interpret and apply sec. 18, 39 Stat. 887; 8 U.S.C. 154.

**§ 145.1 Notice to alien of affirmation of excluding decision.** In case an appeal from an excluding decision is dismissed and the decision affirmed, the alien shall be notified as promptly as circumstances permit.

**§ 145.2 Notice to master of vessel of alien's exclusion.** The master, agent, consignee, or owner of a vessel by which an excluded alien is to be deported shall be notified of this fact as promptly as circumstances permit; also of the cause of rejection and the class in which such alien arrived and is to be deported.

**§ 145.3 Notice to immigration officer of sailings.** At least 24 hours' advance notice of the time of sailing of every vessel which has brought aliens to the United States shall be given the officer in charge in order that he may have the opportunity to place on board the aliens to be deported by such vessel.

**§ 145.4 Alien placed on board; when.** The officer in charge may deliver excluded aliens to the responsible transportation company at such time, as in his judgment, the action is proper.

**§ 145.5 Aliens rejected at Canadian ports to be returned by transportation company.** All aliens bound for the United States finally rejected at Canadian seaports shall be returned to the country whence they came by the steamship line bringing them.

**§ 145.6 Aliens rejected; return to country of embarkation.** The steamship lines shall return at their own expense from seaports of Canada or the United States, as they may elect, to the trans-oceanic country of embarkation all excluded aliens, who are shown to belong to a class excluded by the Immigration Act, whenever in the judgment of the Attorney General the deportation of such aliens in the manner described is deemed

necessary to safeguard the interests of the United States.

**PART 150—ARREST AND DEPORTATION**

Sec.

- 150.1 Investigations.
- 150.2 Applications for warrants of arrest.
- 150.3 Issuance of warrants of arrest.
- 150.4 Execution of warrant of arrest.
- 150.5 Custody of arrested aliens.
- 150.6 Hearing.
- 150.7 Proposed findings, conclusions, and order.
- 150.8 Reopening the hearing.
- 150.9 Forwarding record to Central Office.
- 150.10 Special procedure; application by an alien prior to arrest for suspension of deportation.
- 150.11 Special deportation procedure.
- 150.11a Special procedure; voluntary departure permitted by officers in charge.
- 150.11b Requests for extension of time within which to depart voluntarily from the United States.
- 150.12 Execution of warrant of deportation.
- 150.13 Deportation.

**AUTHORITY:** §§ 150.1 to 150.13, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U.S.C. 102, 222, 458, 5 U.S.C. 1337; 8 CFR, 90.1. §§ 150.1 to 150.13, inclusive, interpret and apply secs. 19, 20, 39 Stat. 889, 890, 54 Stat. 671, 56 Stat. 1044, 57 Stat. 553, sec. 14, 43 Stat. 162; 8 U.S.C. 155, 156, 214.

**§ 150.1 Investigations—(a) Aliens reported, or believed, to be subject to deportation.** The case of every alien reported, or believed, to be subject to arrest and deportation, shall be thoroughly investigated by such officer as may be designated for that purpose.

**(b) Purpose.** The purpose of the investigation shall be to discover whether or not a *prima facie* case for deportation exists; that is, whether there is credible evidence reasonably establishing (1) that the person investigated is an alien, and (2) that he is subject to deportation.

**(c) Interrogation of aliens under investigation.** All statements secured from the alien or any other person during the investigation, which are to be used as evidence, shall be taken down in writing; and the investigating officer shall ask the person interrogated to sign the statement. Whenever such a recorded statement is to be obtained from any person, the investigating officer shall identify himself to such person and the interrogation of that person shall be under oath or affirmation. Whenever a recorded statement is to be obtained from a person under investigation, he shall be warned that any statement made by him may be used as evidence in any subsequent proceeding.

**(d) Refusal to make recorded statement under oath or affirmation.** Whenever, in the course of an investigation, admissions or statements are obtained from an alien or statements are made by any other person which indicate that the alien may be subject to arrest and deportation, but the alien or other person refuses to make a recorded statement under oath or affirmation or refuses or is unable to sign the recorded statement by name or by mark, the investigating

officer shall make a report in writing to the officer in charge, setting forth the facts admitted or stated as to the alien's status under the immigration laws. This report may be used in support of an application for a warrant of arrest, when the investigating officer certifies that no other evidence to establish the facts stated in the report can be readily obtained. Statements obtained in confidence may be included in such report, without disclosure of their source, only if the officer in charge certifies that in his belief such statements are trustworthy.

**(e) Anonymous information.** Information received from a person whose name or address is not disclosed to the investigating officer or is known or appears to be fictitious shall not be used to support an application for a warrant of arrest. Such information shall be used only as a guide to obtaining competent evidence to support the facts alleged.

**(f) Extent of interrogation.** Where an alien under investigation, after reasonable questioning, makes no admissions which bring him within a deportable class, interrogation shall cease, and the investigating officer, if he still believes that the alien is subject to deportation, shall attempt to secure from other sources the necessary evidence.

**§ 150.2 Applications for warrants of arrest—(a) Submission.** Whenever it is found, after preliminary investigation, that a *prima facie* case for the deportation of an alien exists, application for a warrant of arrest shall be made. The application shall be in writing, shall set forth the grounds upon which it is made and shall be accompanied by the supporting evidence and, if available, by the alien's registration number under the Alien Registration Act, 1940.

**(b) Verification of landing.** In all cases in which official records of an alien's arrival exist, and in which there is a time limitation as to the institution of deportation proceedings, or in which knowledge of the time, place and manner of the alien's last entry is necessary for a proper determination of the case, the application shall be accompanied by a certificate of admission obtained from the officer in charge at the port where landing occurred. Where in such cases a certificate of admission is not promptly procurable, the application for a warrant may be submitted without the certificate of admission, but the reason therefor shall be reported and the certificate forwarded as soon as obtained.

**(c) Criminal cases.** Whenever an application for a warrant of arrest is based on conviction for crime in the United States, it shall be accompanied by a certified copy of the record of conviction and sentence and, if it is deemed necessary in order to establish that the crime involves moral turpitude, by a certified copy of the information, indictment or complaint, upon which the alien was convicted.

**(d) Public charge cases.** Whenever an application for a warrant of arrest includes the charge that the alien has

become a public charge within five years from the date of entry from causes not affirmatively shown to have arisen subsequent thereto, the application shall be accompanied by a certificate of the official in charge of the institution in which the alien is or has been confined, or if the alien is not or has not been confined, by the certificate of a responsible public official having knowledge of the facts, showing that the alien is being or has been maintained at public expense. If the alien became a public charge because of a mental or physical condition, there shall also be submitted, if available, a clinical history of the case prepared by the institution where the alien is or has been confined.

(e) *Telegraphic applications.* A telegraphic application for a warrant of arrest shall be resorted to only when there is likelihood that the alien will leave for parts unknown before a formal warrant can be obtained or when necessary to avoid undue expense to the Government, as where the alien is found and the investigation is conducted at a considerable distance from the nearest immigration office. Such telegraphic application shall state the name of the alien, the grounds for deportation charged, the date and place of the alien's entry and enough of the supporting proof to enable the Central Office to exercise a judgment as to probable cause for the issuance of a warrant. The code supplied by the Central Office shall be used whenever practicable.

§ 150.3 *Issuance of warrants of arrest.* (a) If it is determined that a *prima facie* case for deportation has been established, a warrant of arrest shall be issued by the designated official in the Central Office, except that any officer in charge of a district shall have power to issue a warrant of arrest:

(1) In any case within the purview of §§ 150.10 and 150.11 and as provided therein; or

(2) In any other case in which it appears to the satisfaction of such officer that the alien may escape arrest unless the warrant is issued immediately.

(b) In any case where the officer in charge of a district issues a warrant of arrest under paragraph (a) of this section, a copy of the warrant of arrest and of all of the evidence in support thereof shall be immediately forwarded to the Central Office.

(c) Warrants of arrest may, where necessary, be transmitted by telegraph, such telegraphic warrant to be followed by the formal warrant of arrest.

(d) In any case where the officer in charge of District No. 13, with headquarters at San Francisco, California, has authority to issue a warrant for the arrest of an alien in the Territory of Hawaii, the warrant of arrest may be issued by the officer in charge at Honolulu and a copy of the warrant and of all of the evidence in support thereof forwarded immediately to the Central Office and to the officer in charge of the district.

§ 150.4 *Execution of warrant of arrest*—(a) *Service upon alien.* Upon receipt of a telegraphic or formal warrant of arrest, the warrant shall be served upon the alien, and he shall be taken into custody thereunder and fully advised of the cause for his arrest. Copy of the formal warrant of arrest, if arrest is accomplished thereunder, shall be furnished to the alien. Where the arrest is accomplished under a telegraphic warrant, the alien shall be fully advised of the cause for his arrest, given a decoded copy of the warrant of arrest, and furnished with a copy of the formal warrant of arrest as soon as received. If the alien is confined in a penal institution, a copy of the formal warrant shall be filed with the officer in charge of the institution. In cases of mental incompetency, or of children under 16 years of age, a copy of the warrant shall be served upon the alien's guardian, near relative, or friend whenever possible.

(b) *Notice to alien of right to counsel and release under bond.* The alien, immediately upon being taken into custody, shall be advised of his right to representation by counsel at the hearing to be held under the warrant and of the amount of bail under which he may be released from custody. Similar advice shall be given to the guardian, near relative, or friend, in cases involving mentally incompetent aliens or aliens under 16 years of age.

(c) *Identification card to be lifted when alien arrested.* If an arrested alien is found to be in possession of a border crossing identification card, such card shall be taken up and retained in the immigration office where the hearing is conducted until the final decision is made in the case.

§ 150.5 *Custody of arrested aliens*—(a) *Release on bond or personal recognizance.* An alien arrested in deportation proceedings may, pending final disposition of his case and in the discretion of the officer in charge of the office having custody of the alien, be released under bond, or on his own personal recognizance, or on parole, unless specific instructions to the contrary covering individual aliens or classes of aliens shall have been issued by the Central Office. When release is directed by the officer in charge of the office having custody of the alien under conditions other than those stated in the warrant of arrest, such officer shall make immediate report thereof in writing to the Central Office giving the reasons for the action taken.

(b) *Detention without bond.* If, in any case where the Central Office has not authorized detention without bond, the officer in charge of an office having custody of an alien has reason to believe that release should not be authorized under any condition, such alien may be continued in custody but a report shall promptly be made to the Central Office giving reasons for the action taken.

(c) *Delivery bonds.* If a delivery bond is required and accepted, the bond shall be in an amount that will insure the alien's appearance when wanted, but not less than \$500.

NOTE: Paragraph (c) of § 150.5, as set forth above, becomes effective Sept. 1, 1947.

CROSS REFERENCE: For approval and cancellation of delivery bonds, see 8 CFR Part 169.

(d) *Detention facilities.* An alien under deportation proceedings not released on bond, or on personal recognizance, or on parole, may be confined only in a detention facility operated by the Service, or in a jail which has been approved by the Service as a detention facility or, upon approval from the Central Office, in some other suitable quarters. Children under 18 years of age and women shall not be held in custody in jails unless absolutely unavoidable. Such aliens, when detention is necessary, may be detained in a private or other home or facility operated under contract with the Service for the maintenance of aliens, or in a home or other facility operated by a social welfare or philanthropic agency. Where detention of such aliens in a jail is unavoidable, a report thereof with the reasons therefor, shall be immediately submitted to the Central Office.

(e) *Institutional cases.* An alien confined in an institution shall not be removed therefrom, in the absence of special instructions, until a warrant of deportation has been served and the Service is completely ready to deport, except in the case of a criminal alien who has served his sentence and is subject to discharge from imprisonment.

(f) *Cost of maintenance pending deportation.* The cost of maintaining aliens in custody after arrest and pending deportation may be borne by the Government, except that where an alien is an inmate of a public or private institution at the time of the institution of deportation proceedings no expense shall be incurred by the Government until he is taken into physical custody by immigration officers.

§ 150.6 *Hearing*—(a) *When to be accorded under warrant.* After the alien has been taken into custody under a warrant of arrest and has been given a reasonable time to arrange for his defense, including, if desired, representation by counsel, and after the formal warrant of arrest has been received, if arrest was accomplished under a telegraphic warrant, the alien shall be granted a hearing to determine whether he is subject to deportation on the charges stated in the warrant of arrest. A hearing under a telegraphic warrant of arrest, and prior to the receipt of the formal warrant of arrest, shall be held only on the request of the alien or his counsel, or when, in the discretion of the officer in charge, it is deemed impracticable to await the receipt of the formal warrant. The alien shall be informed of his right to request a hearing upon a telegraphic warrant prior to the receipt of the formal warrant.

(b) *Presiding inspector to be other than investigating officer.* The immigrant inspector assigned to conduct a hearing under a warrant of arrest shall be referred to as the "presiding inspector." The immigrant inspector who

## RULES AND REGULATIONS

conducted the investigation in the case shall not act as presiding inspector unless the alien consents thereto. The presiding inspector shall rule upon all objections to the introduction of evidence or motions made during the course of the hearing. In cases to which no examining inspector has been assigned pursuant to the provisions of paragraph (n) of this section, the presiding inspector shall conduct the interrogation of the alien and the witnesses in behalf of the Government and shall cross-examine the alien's witnesses and present such evidence as is necessary to support the charges in the warrant of arrest. The presiding inspector shall see that all documentary or written evidence is properly identified and introduced into the record as exhibits by number, unless read into the record. He shall further make sure that, subject to the provisions of paragraphs (d), (e), and (g) of this section, the record is a verbatim report of everything that is stated during the course of the hearing, including the oaths administered, the warnings given to the alien or the witnesses, and the rulings on objections, except statements made off the record with the consent of the alien or his counsel.

(c) *Procedure; notice of charges.* At the beginning of a hearing under a warrant of arrest, the presiding inspector shall (1) permit the alien to inspect the warrant of arrest and inform him of the charges contained therein by repeating them verbatim and explaining them in language which will clearly convey to the alien the nature of the charges he must answer; (2) apprise the alien, if not represented by counsel, that he may be so represented if he desires and require him to state then and there for the record whether he desires counsel; (3) place the alien under oath or affirmation; (4) advise the alien of the penalty for perjury; and (5) enter of record as an exhibit, identified by number, the formal warrant of arrest, or a decoded copy of the telegraphic warrant if hearing is held thereunder. The presiding inspector shall further advise the alien of the provisions of paragraph (g) of this section concerning applications for the privilege of departure in lieu of deportation or for suspension of deportation under the provisions of section 19 (c) of the Immigration Act of 1917, as amended, in all cases except those in which the alien is charged with being subject to deportation upon one of the grounds mentioned in section 19 (d) of the said act. A continuance of the hearing for the purpose of obtaining counsel shall not be granted more than once, unless sufficient cause for the granting of more time is shown.

(d) *Representation by counsel.* If counsel be selected, he shall be permitted to be present during the hearing, to offer evidence to meet any evidence presented or adduced by the Government, and to cross-examine witnesses called by the Government. Counsel shall be permitted to state his objections succinctly, and they shall be entered on the record. Argument of counsel in support of his objections shall be excluded from the record. Counsel, however, may submit such argument in

the form of a brief to accompany the record.

(e) *Where representation by counsel waived.* If representation by counsel be waived, the alien shall be permitted to offer evidence to meet any evidence presented or adduced by the Government, to cross-examine witnesses called by the Government, and to make objections, which shall be entered on the record, but his arguments in support of the objections may, in the discretion of the presiding inspector, be excluded from the record, in which event, however, the alien shall be permitted to submit such argument in writing to accompany the record.

(f) *Interpreters.* Where the services of an interpreter are found necessary in the conduct of a hearing, the interpreter, if not an employee of the Service, shall be sworn to interpret and translate accurately.

(g) *Application for suspension of deportation, for departure in lieu of deportation, or for preexamination.* At any time during the hearing the alien may apply, under the provisions of section 19 (c) of the Immigration Act of 1917, as amended (39 Stat. 889, 54 Stat. 671, 56 Stat. 1044, 8 U. S. C. 155 (c)):

(1) On Form I-55 in triplicate, for suspension of deportation; or

(2) On Form I-255 in triplicate, for the privilege of departing the United States at his own expense in lieu of deportation; or

(3) On Form I-255 in triplicate, for the privilege of departing the United States at his own expense in lieu of deportation and the privilege of preexamination under Part 142 of this chapter. The alien may apply simultaneously for more than one of these three reliefs. The alien shall be warned that any statements made by him in such applications may be considered as evidence in any proceedings to determine his right to enter, reenter, pass through, or reside in the United States, and that false answers to any of the questions in such applications may bar him from the relief which he requests. Any such applications shall then be introduced into evidence and made a part of the record.

(h) *Order in which evidence shall be presented.* The presiding inspector or examining inspector, when interrogating the alien at the hearing, shall develop in order (1) the facts relating to alienage and nationality; (2) the facts relating to the charges in the warrant of arrest or to any additional charges applicable; (3) the facts relating to the alien's eligibility for any relief applied for under paragraph (g) of this section; (4) the personal history data required by paragraph (j) of this section; and (5) other pertinent information not already obtained for the record.

(i) *Use of statements or admissions made during investigation.* A recorded statement made by the alien (other than a General Information Form) or by any other person during an investigation may be received in evidence only if the maker of such statement is unavailable or refuses to testify at the warrant hearing or gives testimony contradicting the statements made during the investigation. An affidavit of

an inspector as to the statements made by the alien or any other person during an investigation may be received in evidence, otherwise than in support of the testimony of the inspector, only if the maker of such statement is unavailable or refuses to testify at the warrant hearing or gives testimony contradicting the statement and the inspector is unavailable to testify in person.

(j) *Record to contain personal history.* All records of hearings shall fully set forth, either in the General Information Form if filed or otherwise, the name or names of the alien (correctly spelled); place of the alien's birth; the name of the nearest town of importance to such place of birth; the province and country in which such place is located; the alien's religion; the names and locations of churches or schools he has attended; the last address of the alien in his native country, in the country of which he is a citizen or subject, and in the country in which he has last resided; the country in which he embarked for the United States or for foreign contiguous territory; correct names and addresses and the citizenship or nationality of the alien's nearest relatives residing in the country of his birth, and correct names and addresses of all near relatives residing in the United States.

(k) *Physical or mental disability cases; record to contain medical certificate.* The record of the hearing accorded an alien who is suffering from any mental or serious physical disability shall be supplemented by a medical certificate showing (1) whether such alien is in condition to be deported without danger to life or health and (2) whether he will require special care and attention in case of deportation overseas.

(l) *Additional charges.* If, during the hearing, it shall appear to the presiding inspector that there exists a reason additional to those stated in the warrant of arrest why the alien is subject to deportation, he shall notify the alien that such additional charge is lodged against him, and shall proceed with the hearing upon such charge in like manner as on charges contained in a warrant of arrest.

(m) *Alien to be warned of disabilities respecting reentry to the United States.* Before the hearing is concluded, the alien shall be warned by the presiding inspector that the act of March 4, 1929, as amended, provides that any alien who, after arrest and deportation or departure from the United States in pursuance of an order of deportation, enters or attempts to enter the United States, shall be guilty of a felony, and upon conviction shall be liable to imprisonment for not more than two years or a fine of not more than \$1,000, or both such fine and imprisonment, unless such entry or attempted entry is made after one year from the date of such departure or deportation, and the alien, prior to his reembarkation at a place outside of the United States or prior to his application in foreign contiguous territory for admission to the United States, has been granted by the Attorney General permission to reapply for admission to the United States.

(n) *Assignment of examining inspector in addition to presiding inspector;*

duties of inspectors. The officer in charge of the district in which the hearing is to be held may, in his discretion, assign a second immigrant inspector to act at the hearing as the "examining inspector." The examining inspector shall conduct the actual interrogation of the alien and of the witnesses in behalf of the Government and the examination or cross-examination of the alien's witnesses, present such evidence as is necessary to support the charges in the warrant of arrest, lodge such additional charges as he may find to be applicable in the manner hereinbefore directed, and, if the alien has applied for the privilege of departure in lieu of deportation or for suspension of deportation as provided in § 150.6 (g), § 150.8 (b), or § 150.10, inquire thoroughly into the alien's eligibility for such relief. The presiding inspector in such cases, shall exercise all functions not herein assigned to the examining inspector, and he may, in addition, take such part in the interrogation of the alien and witnesses as he may deem necessary to assure that a proper hearing is accorded to the alien.

**§ 150.7 Proposed findings, conclusions, and order—(a) Preparation by presiding inspector.** As soon as practicable after the hearing has been concluded, the presiding inspector shall prepare a memorandum setting forth a summary of the evidence adduced at the hearing, his proposed findings of fact and conclusions of law, and a proposed order.

**(b) Eligibility for departure in lieu of deportation or for suspension of deportation.** If the alien has applied for the privilege of departure in lieu of deportation or for suspension of deportation as provided in § 150.6 (g), § 150.8 (b), or § 150.10, the presiding inspector shall follow his conclusions of law as to the alien's deportability with a discussion of the evidence relating to the alien's eligibility for such relief and of his reasons for his proposed order. He shall then state in numbered paragraphs his proposed findings of fact and his proposed conclusions of law as to the alien's eligibility for the relief requested.

**(c) Proposed order.** In the proposed order the presiding inspector shall recommend cancellation of the proceedings, deportation, departure under order of deportation, departure in lieu of deportation, or suspension of deportation in accordance with the judgment he has made on the basis of the evidence adduced at the hearing.

**(d) Service of findings of presiding officer.** A copy of the presiding inspector's memorandum containing his discussion of the evidence, proposed findings of fact, proposed conclusions of law and proposed order shall be furnished to the alien or his counsel in all instances by personal service, if practicable, otherwise by registered mail, and a return receipt therefor shall be obtained. A copy also shall be furnished to the examining inspector, if an examining inspector has been assigned to the case.

**(e) Filing of exceptions.** (1) The alien or his counsel or representative shall be allowed by the officer in charge a reasonable time (not to exceed 10 days

except on showing of good cause that more time is necessary) in which to file exceptions to the proposed findings, conclusions, and order of the presiding inspector and to submit a brief, if desired. Reasonable extensions of time for the filing of exceptions or brief may be granted in the discretion of the officer in charge. The examining inspector shall promptly file exceptions to the proposed findings, conclusions, and order of the presiding inspector, or state in writing that he waives the filing of exceptions.

(2) For the duration of the War which the United States declared existed against Japan on December 8, 1941, and against Germany and Italy on December 11, 1941, alien seamen who entered the United States on or after September 1, 1939, or who shall hereafter enter the United States and against whom deportation proceedings have been or may be instituted shall be allowed a period of three days in which to file exceptions or waive the filing of exceptions to the proposed findings, conclusions, and order of the presiding inspector and to submit a brief, if desired, in lieu of the time specified in subparagraph (1) of this paragraph.

**§ 150.8 Reopening the hearing.** At any time prior to the forwarding of the record of hearing to the Commissioner, the officer in charge of a district or sub-office may direct that a case be reopened for proper cause. The Commissioner may direct a reopening of the record of hearing for proper cause at any time prior to such time as an appeal from his order may be entered in accordance with the provisions of § 90.3 (a) of this chapter. Requests by aliens or their representatives for a reopening of a hearing prior to entry of a final order shall be in writing, state the new facts to be proved, and be supported by affidavits or other evidentiary material. All requests for reopening must be filed with the appropriate field office of the Immigration and Naturalization Service. If the record of hearing has been forwarded to the Commissioner from that office, the request for reopening shall be forwarded to the Commissioner. The Commissioner shall grant or deny the request if the case is pending before him. If the case is pending before the Board of Immigration Appeals, the request shall be forwarded to the Board. The Board shall consider the request and either remand the case for further hearing or deny the request and render a decision on the record.

**§ 150.9 Forwarding record to Central Office.** Upon receipt of exceptions and brief, if any, of the alien or his counsel, or upon the expiration of the time allowed for the submission of exceptions or brief, the entire record, including all copies of Forms I-55 and I-255 filed by the alien, the presiding inspector's proposed findings, conclusions, and order, exceptions and brief, including the exceptions of the examining inspector, if any, shall be forwarded to the Commissioner.

**§ 150.10 Special procedure; application by an alien prior to arrest for sus-**

pension of deportation—**(a) Who may apply.** Any alien who believes himself to be subject to deportation and against whom deportation proceedings have not been instituted by the issuance of a warrant of arrest, as provided in § 150.3 or § 150.11 (a) may voluntarily submit himself to the jurisdiction of the Immigration and Naturalization Service and make written application for suspension of deportation. Such application may be made by filing Forms I-256 and I-55, properly filled in and executed in triplicate, at the office of the Immigration and Naturalization Service having jurisdiction over the applicant's place of residence.

**(b) Eligibility.** An alien is eligible to be considered for suspension of deportation if:

(1) He is deportable under any law of the United States except:

(i) The act of October 16, 1918, as amended (anarchist and similar classes); or

(ii) The act of May 26, 1922 (narcotic); or

(iii) The act of February 18, 1931, as amended (narcotic); or

(iv) Any of the provisions of section 19 (a) of the act of February 5, 1917, as amended, as relates to criminals, prostitutes, procurers, or other immoral persons, the mentally and physically deficient, anarchists, and similar classes; or

(v) Section 19 (b) of the act of February 5, 1917, as amended (smuggling of aliens, unlawful possession of weapons, violation of Title I, Alien Registration Act, 1940); and

(2) He has proved good moral character for the preceding five years; and

(3) He is not racially inadmissible or ineligible to naturalization; and

(4) It is found that such deportation would result in serious economic detriment to a citizen or legally resident alien who is the spouse, parent, or minor child of such alien.

**(c) Issuance of warrant of arrest.** If, upon the filing of Forms I-256 and I-55, the officer in charge of the district believes from the facts set forth therein that the alien is subject to deportation, and finds that there is no warrant of arrest outstanding, such officer shall issue a warrant of arrest stating the charges upon which he believes the alien to be subject to deportation. If a warrant issues under this paragraph, one copy each of such warrant and of Forms I-256 and I-55 shall be immediately forwarded to the Central Office.

**(d) Documents and investigation required.** Where a warrant of arrest has been issued under this section and Forms I-256 and I-55 have been accepted as a prima facie showing of eligibility for suspension of deportation, the alien shall be advised (1) to obtain promptly and furnish the officer in charge, official certifications to establish his relationship to those he claims would suffer economic detriment by his deportation, and if such persons are citizens of the United States, evidence of their citizenship, and (2) submit the affidavits of two witnesses, preferably citizens, and if the alien is employed, one from his employer, who can vouch for the alien's good moral character for the preceding

## RULES AND REGULATIONS

five years. The officer in charge shall obtain verifications of such entries of the alien and other persons as are pertinent to the case and shall also cause an investigation to be conducted for the purpose of obtaining facts which will bear upon the alien's claim to eligibility for relief under the provisions of paragraph (b) of this section. The investigating officer shall make a written report of his investigation to be included in the record.

(e) *Notice to appear for hearing; counsel.* When the necessary entries have been verified and the documents required of the alien and the report of the investigating officer have been submitted, the alien shall be notified to appear for a hearing at a time and place to be designated by the officer in charge. If the alien is married and suspension of deportation is sought on the ground of economic detriment to the spouse, the alien shall be required to produce such spouse at the hearing. The alien shall also be informed that he may be represented at the hearing by counsel.

(f) *Hearing and record.* Upon the alien's appearance and the service on him of the warrant of arrest, if not previously served, the alien shall be granted a hearing to establish his deportability and eligibility for suspension of deportation. The presiding inspector assigned to conduct the hearing shall not be the same officer who conducted the investigation except in cases of necessity as determined by the officer in charge. The presiding inspector shall (1) apprise the alien that the purpose of the hearing is to establish the facts as to his deportability and eligibility for suspension of deportation, (2) place the alien under oath or affirmation, (3) advise the alien of the penalty for perjury and that any false answers to any of the questions in the application or General Information Form or at the hearing, may bar him from the relief he requests, and (4) enter of record as exhibits identified by number, copy of the formal warrant of arrest, Form I-256 and I-55, certifications and affidavits submitted by the alien, the written report of the investigation, and the reports as to records of the alien's entries and of the entries of such other persons as are material to the case. If the alien is married, the spouse shall be questioned for the purpose of determining whether the alien is eligible for suspension of deportation. The presiding inspector may question the alien and, in his discretion, require presentation of other witnesses for examination as to the deportability of the alien or his eligibility for suspension of deportation. At the hearing the alien should be afforded an opportunity to present any evidence he desires in support of his application. The presiding inspector, by questioning the alien and the witnesses, shall attempt to reconcile any discrepancies of fact occurring in the record.

(g) *Memorandum of the presiding inspector.* If, on the basis of the evidence presented as provided in paragraph (f) of this section, the presiding inspector is satisfied of the alien's deportability and that he is entitled to the relief sought, he shall prepare a memorandum, stating therein only the grounds for the alien's

deportability and that he appears eligible for suspension of deportation under section 19 (c) (2) of the Immigration Act of 1917, as amended. A copy of the memorandum shall be furnished the alien. The entire record shall then be delivered to the officer in charge of the district for transmittal to the Central Office.

(h) *Termination of special procedure.* The special procedure provided for in paragraphs (f) and (g) of this section may be terminated forthwith (1) by the officer in charge of the district at any time prior to the transmittal of the record to the Commissioner, upon a determination that the alien may leave for parts unknown, or is failing without cause to prosecute his application, or that the alien's eligibility for suspension of deportation is questionable; or (2) by the Commissioner at any time. If such special procedure has been terminated as herein provided, the alien may be released under bond or on his own recognition and his case shall be handled as other deportation cases under §§ 150.4 to 150.9, inclusive, commencing with the proceedings immediately following the service of the warrant of arrest. The removal of any case from the procedure provided in this section shall be without prejudice to the alien's application for suspension of deportation.

§ 150.11 *Special deportation procedure—(a) In cases involving recent illegal entrants and alien seamen; when permissible.* Notwithstanding any other provisions of this part, any officer in charge of a district shall have power to issue warrants of arrest upon application made direct to such officer by an investigating officer:

(1) In any case in which an alien is believed to have entered the United States illegally from foreign contiguous territory or adjacent islands within one year preceding the application for warrant of arrest, and one of the grounds of deportation upon which the application for warrant of arrest is based is:

(i) That the alien entered the United States by water at any time or place other than as designated by immigration officials; or

(ii) That the alien entered the United States by land at any place other than one designated as a port of entry for aliens by the Commissioner of Immigration and Naturalization; or

(iii) That the alien entered the United States at any time not designated by immigration officials; or

(iv) That the alien entered the United States without inspection.

(2) In any case in which an alien seaman is believed to have entered the United States on or after September 1, 1939, in an illegal manner, or after having been admitted to the United States on or after that date as a seaman in pursuit of his calling under the provisions of section 3 (5) of the Immigration Act of 1924, is believed to have remained in the United States for a longer period of time than permitted under the regulations in effect at the time of his admission, and one of the grounds of deportation upon which the application for a warrant is based is:

(i) That the alien, at the time of his entry, was an immigrant not in possession of a valid immigration visa and not exempted from the presentation thereof by said act or regulations made thereunder; or

(ii) That the alien, after admission as a seaman, has remained in the United States for a longer period of time than permitted under said act or regulations made thereunder.

(b) *In cases involving recent illegal entrants and alien seamen; investigations and applications for warrants of arrest.* Investigations and applications for warrants of arrest in cases within the purview of paragraph (a) of this section shall be made in accordance with the provisions of §§ 150.1 and 150.2.

(c) *In cases involving recent illegal entrants and alien seamen; issuance and execution of warrants of arrest; release or detention of alien.* When an application for issuance of a warrant of arrest has been made in a case falling within the provisions of paragraph (a) of this section, the officer in charge of the district shall issue the warrant if he is satisfied from the supporting evidence that a *prima facie* case for deportation has been established. The warrant shall state the grounds upon which the officer in charge of the district believes the alien to be subject to deportation, and, in appropriate cases, may provide for the alien's release under bond in a sum of not less than \$500 or on his own recognition pending further proceedings. The warrant shall be executed in the same manner as though issued by the Central Office.

(d) *In cases involving recent illegal entrants and alien seamen; hearing and procedure thereunder.* The hearing and all further proceedings in the case of an alien arrested upon a warrant issued and executed in accordance with paragraph (c) of this section shall be conducted in the manner prescribed in §§ 150.6 and 150.7 with the following exceptions:

(1) Any alien who desires the privilege of departure in lieu of deportation may make such request at any time during the hearing and such request may be acted upon without the necessity of filing Forms I-55 and I-255. The presiding inspector shall require the alien to furnish such information as may be available in support of such request.

(2) The presiding inspector, immediately before the hearing is concluded, shall state for the record in the presence of the alien his findings of fact, conclusions of law, and recommendation as to the disposition of the case, and

(3) The alien shall be required then and there to state whether or not he takes exception to such findings of fact, conclusions of law, and recommendation as to the disposition of the case; and he shall be informed that if he does take exception, the record will be submitted to the Commissioner for decision, and

(4) The transcript of the record, including the findings of fact, conclusions of law, and proposed order of the presiding inspector as stated in the record shall be presented to the officer in charge of the district in which the hearing is held.

(e) *In cases involving recent illegal entrants and alien seamen; issuance of*

*warrant of deportation.* In any case conducted in accordance with the provisions of this section, in which the alien has made an exception to the proposed findings, conclusions, and order of the presiding inspector, or in which the alien has applied for suspension of deportation under the provisions of section 19 (c) of the Immigration Act of 1917, as amended, or in which the recommendation of the presiding inspector is for any action other than the deportation of the alien, the transcript of the record shall be forwarded to the Commissioner for decision. Any other case shall be referred for determination to the officer in charge of the district. If such officer in charge is not satisfied beyond a doubt that the alien is subject to deportation and that his case falls within the provisions of paragraph (a) of this section, he shall forward the record to the Commissioner, with a statement of his reasons for so doing. If the officer in charge of the district is satisfied beyond a doubt that the alien is subject to deportation and that the case falls within the provisions of paragraph (a) of this section, he may issue a warrant directing the deportation of the alien upon the charges which have been established by the record. In all cases where a warrant of deportation is issued, a complete copy of the record and of the order of deportation shall be forwarded to the Commissioner within two business days. Deportation of an alien ordered deported by an officer in charge of a district shall be effected in the same manner as though deportation had been directed by the Commissioner. Any alien who has been ordered deported by an officer in charge of a district may, within five days after such order, if deportation has not been sooner effected, file an exception to the order of deportation giving his reasons in support thereof, and may request that his case be referred to the Commissioner for decision. Upon the filing of such exception and request, deportation of the alien shall be stayed and the request of the alien, accompanied by the entire record if not previously transmitted, shall be forwarded to the Central Office for review and decision by the Commissioner. If the warrant of deportation issued by the officer in charge of the district is confirmed by the Commissioner, deportation shall proceed upon the warrant issued by the officer in charge unless the respondent appeals to the Board of Immigration Appeals within the time specified in § 90.9 of this chapter. If, on appeal, the Board of Immigration Appeals affirms the order of the Commissioner, deportation shall proceed upon the warrant issued by the officer in charge of the district as soon as notification of such affirmance is received.

(f) *Limitation as to alien seamen.* The provisions of paragraph (a) (2) of this section relating to alien seamen shall be operative only for the duration of the war which the United States declared existed against Japan on December 8, 1941, and against Germany and Italy on December 11, 1941.

§ 150.11a *Special procedure; voluntary departure permitted by officers in charge.* Notwithstanding any other

provisions of this part, the authority conferred upon the Attorney General by subsection (c) (1) of section 19 of the Immigration Act of 1917, as amended (39 Stat. 889, 54 Stat. 671; 8 U. S. C. 155 (c)), to permit certain deportable aliens to depart from the United States to any country of their choice at their own expense in lieu of deportation, may be exercised by any officer in charge of a district or suboffice: *Provided*, (a) That the alien concerned is a citizen of either Canada or Mexico and desires to depart immediately from the United States for whichever of such countries he is a citizen; (b) That the alien is willing and able to pay his own transportation expenses and will apparently be admitted to the country of destination with little or no delay; and (c) That the immediate departure of the alien without the issuance of a warrant of arrest or without the completion of proceedings on a warrant of arrest will be advantageous to the Government.

§ 150.11b *Requests for extension of time within which to depart voluntarily from the United States.* (a) Where an order has been entered by the Commissioner or by the Board of Immigration Appeals granting an alien permission to depart voluntarily from the United States at his own expense, a request for extension of time within which to effect departure shall be addressed to the Commissioner and filed in triplicate with the appropriate field office. The Commissioner shall act upon the request and, if denied, shall serve notice of his order and decision upon the alien or his counsel or representative, as provided in § 90.9 (a) of this chapter. Further proceedings shall be conducted in accordance with §§ 90.3 and 90.9 (b) of this chapter.

(b) If an alien does not depart from the United States within the time granted or any extension thereof, the field office shall serve a notice upon the alien and his counsel or representative, if any, advising him that it proposes to recommend to the Commissioner that an order of deportation be entered. The notice to the alien and his counsel or representative shall further advise him of his right to file exceptions within such time, but not less than five business days, as the field office deems reasonable. At the expiration of the period granted or any extension thereof, a copy of the notice together with the exceptions filed, if any, shall be forwarded to the Commissioner. The Commissioner shall act upon the recommendation and serve notice of his decision and order upon the alien or his counsel or representative, as provided in § 90.9 (a) of this chapter. Further proceedings shall be conducted in accordance with §§ 90.3 and 90.9 (b) of this chapter.

§ 150.12 *Execution of warrant of deportation—(a) Taking an alien into custody.* Upon the issuance of a warrant of deportation or as soon thereafter as the circumstances of the case may require, the alien, if not already in custody, shall be taken into custody thereunder and deported.

(b) *Aliens confined in penal institutions.* No alien sentenced to imprison-

ment shall be deported under any provision of law until the termination of the imprisonment. Imprisonment shall be considered as terminated upon the release of an alien from confinement whether or not he is subject to rearrest or further confinement in respect of the same offense. Release of an alien from confinement on parole shall be considered as a termination of imprisonment.

(c) *Aliens discharged from United States Narcotic Farms.* Any alien who has been sentenced to imprisonment and has been ordered deported and who has been transferred as an alien addict to a United States Narcotic Farm provided for in the act of January 19, 1929, shall, at the time of his discharge from the farm, be taken into custody direct from the farm and deported instead of being returned to the penal institution from which he came.

(d) *Departure at alien's expense.* Where an alien has been ordered deported, the officer in charge of the district within which the alien is located or where the alien is in custody may, in the absence of express directions to the contrary in the warrant of deportation, permit the alien to depart to any country of his choice by reshipping foreign one way as a seaman, or by any other method at the alien's expense. When such departure is permitted and effected, the facts shall be recorded on the warrant of deportation. Any alien who is permitted to depart from the United States at his own expense under a warrant of deportation shall be notified of the issuance of such warrant and again warned concerning the provisions of the act of March 4, 1929, as amended, as set forth in § 150.6 (m).

(e) *Stay of deportation by the officer in charge.* Where an alien has been ordered deported and is about to be joined to a deportation party or his deportation is otherwise imminent and some serious emergency arises, or where new and material evidence is discovered, the district director within whose district the alien is located may, in his discretion, stay the deportation. All the facts and circumstances in such cases shall be reported immediately to the Central Office, and the further action taken shall be subject to the direction of the Central Office.

§ 150.13 *Deportation—(a) Manner of.* If deportation is to be effected by vessel or airplane, notice of the proposed deportation of any alien shall be given to the transportation company concerned, together with a brief description of the alien and any other appropriate data, including the cause of deportation, physical and mental condition, and destination. Any request from the transportation lines to defer delivery of the alien for deportation shall be accompanied by a written agreement from the line concerned that it will be responsible for all detention expenses resulting from such deferment.

(b) *To foreign contiguous territory.* Aliens ordered deported to foreign contiguous territory shall be returned across the border at the nearest port unless humanitarian or other reasons render it advisable to effect deportation through some other port. Deportation to a sea-

## RULES AND REGULATIONS

port shall be authorized when that course is deemed advisable or more economical than deportation across the land boundary. In cases involving deportation to foreign contiguous territory pursuant to the provisions of § 150.11, the officer in charge of the district within which the hearing was held shall determine through which port deportees shall be deported. In all other such cases officers in charge shall include in their letters transmitting the records of warrant hearings a recommendation as to the port through which such deportees should be deported.

## PART 153—DEPORTATION OF INSANE AND DISEASED ALIENS

Sec.

- 153.1 Special care and attention for aliens; duty of steamship company.
- 153.2 Delivery of alien to steamship officer; procedure.
- 153.3 Delivery of alien at foreign port or destination; procedure.
- 153.4 Failure of steamship company to provide special care; alternative.
- 153.5 Lepers; deportation; procedure.

AUTHORITY: §§ 153.1 to 153.5, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133; 8 CFR, 90.1. §§ 153.1 to 153.5, inclusive, interpret and apply sec. 18, 39 Stat. 887, 45 Stat. 1551, 58 Stat. 816, sec. 20, 39 Stat. 890, 57 Stat. 552; 8 U. S. C. and Sup., 154, 156.

§ 153.1 *Special care and attention for aliens; duty of steamship company.* When the immigration officials find that an alien about to be deported, whether after rejection by a board or on Department warrant, requires special care and attention, the steamship company concerned shall provide such care and attention as his condition requires, not only during the ocean voyage but also as hereinafter provided in § 153.3 during the foreign inland journey.

§ 153.2 *Delivery of alien to steamship officer; procedure.* The alien shall be delivered to the master or first or second officer of the vessel on which deportation is to occur, who shall be given the appropriate Form I-287 and a duplicate carbon sheet A thereof. The receipt and sheet A shall be filled out except as to signature by an immigration officer. The receipt attached to sheet A shall be signed by the ship's officer to whom the alien has been delivered and returned forthwith to the immigration officer making delivery. Sheets B and C shall be retained by the ship's officer and in due course filled out by the agents or persons therein designated and by them returned by mail as herein provided.

§ 153.3 *Delivery of alien at foreign port or destination; procedure.* From the foreign port of disembarkation the steamship company shall at its own expense forward the alien to destination in charge of a proper attendant except only in cases where foreign public officials decline to allow such attendants to proceed and themselves take charge of the alien, which fact must be shown by signing the form, provided in the lower half of sheet C of Form I-287. If the foreign public officials do not take charge at the port of disembarkation, but at an

interior frontier, both forms on sheet C must be filled out, the former in relation to the inland journey as far as such frontier.

§ 153.4 *Failure of steamship company to provide special care; alternative.* Whenever a steamship company fails, refuses, or neglects to provide personal care and attendance for a deported alien requiring such care and attention, or when such company fails, refuses, or neglects to return sheets B and C of Form I-287 properly executed within 90 days after the departure of such alien, or otherwise fails, refuses, or neglects to comply with the provisions of this part, the Attorney General shall thereafter and without notice employ suitable persons, at the expense of such company, to accompany aliens requiring personal care and attendance when deported on any vessel of such company.

§ 153.5 *Lepers; deportation; procedure.* In cases of deportees who are afflicted with leprosy and who are subjects of Mexico or other contiguous territory, the matter of obtaining permission for the return of such aliens to their respective countries shall be taken up with the competent authorities of the country of which the alien is a subject, by the officer in charge of the district in which the case arises, through the United States immigration officers at the border port through which such aliens are to be deported. As soon as it is determined that such aliens are deportable, the Central Office will obtain travel permits for the aliens' passage from the State of origin into the State from which deportation is to be effected, said travel permits being obtained through the office of the Surgeon General, United States Public Health Service, Washington, D. C. Negotiations with appropriate common carriers shall be started by the officer in charge of the district in which such cases arise, immediately upon finding that the victim of the disease is deportable, for the purpose of arranging for the transportation of such aliens in the most economical manner possible, in keeping with the State health laws and the rules of the United States Public Health Service. Other cases of deportable aliens afflicted with leprosy shall be disposed of in accordance with governing circumstances and with the assistance and under the direction of the Central Office.

## PART 154—HOLDING AS WITNESSES ALIENS ORDERED DEPORTED

Sec.

- 154.1 Deportation of witness stayed; conditions, expenses, release.
- 154.2 Witnesses; when warrant withheld.

AUTHORITY: §§ 154.1 and 154.2 issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133; 8 CFR, 90.1. §§ 154.1 and 154.2 interpret and apply sec. 18, 39 Stat. 887, 45 Stat. 1551, 58 Stat. 816; 8 U. S. C. and Sup., 154.

§ 154.1 *Deportation of witness stayed; conditions, expenses, release.* The Department may stay the deportation "of any aliens found to have come in violation of any provision" of the Immigration Act of 1917 (39 Stat. 874) when the testi-

mony of such aliens is necessary on behalf of the United States in the prosecution of offenders against the Immigration Act of 1917 or any other laws of the United States, and the cost of maintenance and a witness fee in the sum of \$1 per day may be paid by the Department in each such case, or the alien witness may be released under bond of not less than \$500 conditioned for his production when required as a witness or for deportation. Therefore, the alien to be detained must have come to the United States in violation of the Immigration Act of 1917, and his deportation must have been stayed by the Department, before detention charges and witness fees, or release under bond, can be authorized; and such authorization can be given only in cases in which at least one cause for the proposed deportation of the alien arose prior to entry. Such cases should be reported promptly to the Central Office, with a statement of all facts and circumstances material to decision of the question whether the authorization desired shall be granted. Vouchers for witness fees should be prepared in favor of each witness and submitted at the close of each month or, if detention is for less than one month, at the conclusion of such detention. Maintenance charges will be vouchered in the regular way applicable to such bills.

§ 154.2 *Witnesses; when warrant withheld.* Cases in which there exists no cause for deportation arising prior to entry (for example, cases in which aliens have become members of the immoral or criminal classes after landing) are not within the purview of § 154.1. In such cases, therefore, when it becomes necessary to hold an alien as a witness, arrangements therefor must be made with the appropriate United States attorney. The issuance of warrants of deportation in these classes of cases will be withheld pending the termination of judicial proceedings, so that the witnesses may be bound over and detention expenses and witness fees paid by the Department of Justice.

## PART 155—DETENTION EXPENSES

Sec.

- 155.1 Liability of transportation companies for removal and care of alien.
- 155.2 Liability of transportation companies for expense of attendant or accompanying alien.
- 155.3 Expense bills; presentation to steamship companies.
- 155.4 Payment; advance assurance; failure.
- 155.5 Expenses when borne by other than transportation company.
- 155.6 Burial expenses of aliens; when borne by the Government.

AUTHORITY: §§ 155.1 to 155.6, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133; 8 CFR, 90.1.

§ 155.1 *Liability of transportation companies for removal and care of alien.* The owners, masters, agents, and consignees of vessels bringing aliens shall pay all expenses incident to or involved in their removal from the vessel or their detention as mentioned in Part 110 of this chapter (excepting only in cases in which it is otherwise provided by sections 15 and

18 of the Immigration Act of 1917, as amended (39 Stat. 885, 887, 45 Stat. 1551, 58 Stat. 816; 8 U. S. C. 151, 154), or in which detention occurs under the terms of section 22 of said act (39 Stat. 891; 8 U. S. C. 159), irrespective of whether the aliens removed or detained are subsequently admitted or deported; such expenses to include those of maintenance, medical treatment in hospital or elsewhere, burial in the event of death, and transfer to the vessel in the event of deportation; also all expenses of hospital treatment where granted under section 18, Immigration Act of 1917 (39 Stat. 887; 8 U. S. C. 154), and § 140.15. When aliens are fed under an exclusive privilege (section 26, act of February 5, 1917 (39 Stat. 894; 8 U. S. C. 115)), the expenses of maintenance generally shall be deemed the charges at which the privilege holder agrees to furnish them food. At ports where the Immigration and Naturalization Service maintains hospitals, the hospital expenses shall be such as are fixed by the Department, and at other hospitals they shall be as are fixed by the authorities thereof.

**§ 155.2 Liability of transportation companies for expense of attendant or accompanying alien.** If in the judgment of the officer in charge, based upon the expressed opinion of a surgeon, it is necessary for the proper care of an alien removed to hospital or as a measure of humanity to place with him there an attendant or accompanying alien, the cost of the latter's detention in hospital must be borne in the same manner as is the cost of treating the disabled alien.

**§ 155.3 Expense bills; presentation to steamship companies.** Bills pertaining to any of the expenses in this part shall be presented to the responsible steamship companies monthly or oftener at the option of the officer in charge, and, if not promptly paid, action shall be taken immediately, as prescribed by Part 160 of this chapter.

**§ 155.4 Payment; advance assurance; failure.** Immigration officers are under no obligation to order the removal of aliens from a vessel for inspection or hospital treatment (excepting only in cases in which it is otherwise provided by section 18, Immigration Act of 1917 (39 Stat. 887, 45 Stat. 1551, 58 Stat. 816; 8 U. S. C. 154), or in which detention occurs under the terms of section 22 of said act (39 Stat. 891; 8 U. S. C. 159)) until the steamship companies have obligated themselves in a manner satisfactory to such officers for the payment of the expenses referred to in §§ 155.1 and 155.2, and at their option they may require payment in advance, or security, for each and every one thereof; and for failure on the part of a steamship company at any time during the course of detention to pay such expenses, the aliens may be returned to the vessel.

**§ 155.5 Expenses when borne by other than transportation company.** Detention expenses shall be borne by the Government in cases of (a) aliens held as witnesses under section 18, Immigration Act of 1917 (39 Stat. 887, 45 Stat. 1551, 58 Stat. 816; 8 U. S. C. 154); (b) insane aliens whose health or safety

would be unduly imperiled by immediate deportation (said section 18); (c) in cases in which the wives and minor children of naturalized citizens are accorded treatment under section 22 of said act (39 Stat. 891; 8 U. S. C. 159), and §§ 140.11 to 140.15, inclusive, of this chapter, when it is satisfactorily shown that the husband or father is unable to pay such expenses; and (d) aliens who arrived in possession of unexpired visas issued by United States consuls within 60 days of the aliens' foreign embarkation if the sole cause of exclusion is one arising under section 13 (a) (1) or (3) of the Immigration Act of 1924, as amended (43 Stat. 161, 50 Stat. 165; 8 U. S. C. 213 (a)). They shall be borne by the husband or father of the alien when he is able to pay them, in cases in which treatment of a wife or minor child is authorized under said provision of law and sections of regulations; and always by the husband or father when he is merely a permanent resident, not a naturalized citizen of the United States whose wife and child are allowed treatment under section 22 of said act and § 140.13 of this chapter. Preferably, they shall be paid by the alien, but may be paid from the immigration appropriation under special authority where it is necessary to hold the alien after admission in accordance with § 134.1 of this chapter, and in the cases of wives and minor children of naturalized citizens accorded treatment under section 22 of said act and §§ 140.11 to 140.15, inclusive, of this chapter. If a final order of exclusion be entered in the case of an alien in class (d) of this section and if the officer in charge at the port orders the transportation line to return the alien, the detention expenses contemplated in sections 15 and 18 of the Immigration Act of 1917, as amended (39 Stat. 885, 887, 45 Stat. 1551, 58 Stat. 816; 8 U. S. C. 151, 154), and all expenses incidental to detention shall continue to be borne by the Government only until the next departure of a vessel of the transportation line, which brought the alien to the United States, for the place where the alien embarked for the United States. If the alien is not removed from the United States at the time of such departure, thereafter all expense of detention shall be borne by the transportation line.

**§ 155.6 Burial expenses of aliens; when borne by the Government.** The burial expenses of aliens who die while in the lawful custody of the Immigration and Naturalization Service may be borne by the Government, except in those cases in which it is otherwise provided by section 15 of the Immigration Act of 1917 (39 Stat. 885, 58 Stat. 816; 8 U. S. C. 151), and said burial expenses may include the payment of not exceeding \$10 in any case for the services of a minister of any recognized religious denomination.

#### PART 157—REMOVAL OF DISTRESSED ALIENS FROM THE UNITED STATES

##### Sec.

- 157.1 Removal of distressed aliens; who may apply.
- 157.2 Application for removal; how made; necessary data.

##### Sec.

- 157.3 Application for removal; examination and investigation.
- 157.4 Record; recommendation; review.
- 157.5 Final disposition.
- 157.6 Application for readmission; form and contents.
- 157.7 Application for readmission; delivery; validity of approved application for subsequent entries.

**AUTHORITY:** §§ 157.1 to 157.7, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166; sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 1337; 8 CFR, 90.1. §§ 157.1 to 157.7, inclusive, interpret and apply sec. 23, 39 Stat. 892, 50 Stat. 164; 8 U. S. C. 102.

**§ 157.1 Removal of distressed aliens; who may apply.** Any alien who, at any time after entry, falls into distress or is in need of public aid from causes arising subsequent to his entry may apply for removal to his native country, or the country from which he came, or to the country of which he is a citizen or subject.

**§ 157.2 Application for removal; how made; necessary data.** Application for removal shall be made in duplicate on Form I-243 (Application for Removal) and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. A separate Form I-243 shall be filed by each alien, except that the application of a child under 14 years of age may be included in the application of a parent. The application shall be signed by the applicant, or in the case of a child under the age of 18 years by his parent or guardian, when submitted, but shall not be subscribed and sworn to or affirmed until the applicant appears before an officer of the Immigration and Naturalization Service for examination upon the merits of his application. In the application the alien shall state his name; the date and place of his birth; the country to which removal is desired; the place, date, and manner of his arrival in the United States; and the name, age, and address of his dependents, if any. If the applicant has received assistance from a public or charitable institution or association, the application shall show the name and address of such institution or association and shall be accompanied by a certificate of the accredited representative thereof indicating the nature and extent of the aid furnished to the alien. If the alien has not received public aid, the application shall show the financial conditions which cause him to need public aid. Any other information called for by the application form shall be furnished. The applicant shall be notified when and where to appear for examination upon the merits of his application.

**§ 157.3 Application for removal; examination and investigation.** The examining officer shall orally review the application with the applicant, or in the case of a child under the age of 18 years with the parent or guardian, before administering the oath. Any necessary changes in the application shall be consecutively numbered and acknowledged in writing by the applicant or the parent or guardian. The applicant or the parent or guardian shall then be questioned under oath by the examining officer for the purpose of identification and of de-

## RULES AND REGULATIONS

termining whether the applicant is eligible to be removed from the United States as provided in § 157.1. If such action is deemed necessary, additional investigation shall be made. During the examination the applicant shall be informed that if he is removed from the United States, he will forever be ineligible for readmission except upon the approval of the Secretary of State and the Attorney General. Such notification by the examining officer and the applicant's response shall be incorporated verbatim in the record. If the applicant is suffering from any mental or serious physical disability, a medical certificate shall be obtained showing (a) whether the applicant is in condition to be removed from the United States without danger to life or health and (b) whether he will require special care and attention in case of removal overseas.

§ 157.4 *Record; recommendation; review.* Upon completion of the examination and investigation, the examining officer shall prepare a report of his findings on Form I-273 (Report of Examining Officer in Removal Proceedings), together with his recommendation and any comment he may deem necessary. The record and the findings and recommendation of the examining officer shall then be forwarded to the district director. The district director or an officer designated by him shall review the record and shall add his recommendation on the Form I-273. If such review leads to a different recommendation from that of the examining officer, the reasons shall be stated in writing. The entire record shall then be submitted to the Central Office.

§ 157.5 *Final disposition.* If the Commissioner or officer designated by him is satisfied after review of the record that the applicant is eligible to be removed from the United States as provided in § 157.1, an order for removal will be entered. Authorization for the applicant's removal shall be issued by the Commissioner or a designated officer in the Central Office on Form I-202 (Authorization for Removal). Upon the issuance of the authorization for removal or as soon thereafter as practicable, the applicant may be removed from the United States at Government expense.

§ 157.6 *Application for readmission; form and contents.* An alien removed from the United States after May 13, 1937, is ineligible for readmission except upon the approval of the Secretary of State and the Attorney General. Application for permission to apply for readmission after removal may be made at any time after the alien's departure. The application shall be made by letter addressed to the Secretary of State and the Attorney General, shall be prepared in triplicate, and shall show the name of the alien; the date and place of his birth; the date of removal from the United States; the address in the United States at the time of removal; the port through which removed; country to which removed; the purpose in applying for readmission to the United States; the alien's financial resources and proposed

manner of support in the United States; and the port through which the alien proposes to reenter the United States. The application shall be accompanied by documentary evidence in substantiation of the alien's allegations as to his financial resources and proposed manner of support in the United States.

§ 157.7 *Application for readmission; delivery; validity of approved application for subsequent entries.* The application for readmission described in § 157.6 shall, wherever practicable, be delivered to the American consul to whom the alien desires to apply for a visa. If delivery cannot be made to the American consul or no visa is required, the application may be mailed direct to the Commissioner of Immigration and Naturalization or mailed to the immigration officer in charge at the proposed port of entry for transmittal to the Commissioner. A parent or legal guardian shall make application on behalf of a child under 18 years of age. If the Secretary of State and the Attorney General approve the application, the alien's eligibility for readmission on any number of occasions thereafter will not be affected by the prior removal.

#### PART 160—IMPOSITION AND COLLECTION OF FINES

Sec.

- 160.1 Liability for bringing mentally afflicted or diseased aliens.
- 160.2 Liability for bringing certain aliens afflicted otherwise than as described in § 160.1.
- 160.3 Liability for diseased seamen on passenger-carrying vessels.
- 160.4 Liability for bringing illiterate or barred-zone aliens.
- 160.5 Liability for bringing solicited aliens.
- 160.6 Liability for failure to supply manifest.
- 160.7 Liability to meet specified expenses.
- 160.8 Liability for failure to receive and deport excluded alien; accepting security for return expenses; bringing alien previously excluded or deported.
- 160.9 Liability for failure to deport alien as directed.
- 160.10 Liability for bringing immigrant without proper visa.
- 160.11 Liability for failure to report desertion or landing, or furnish required list of seamen.
- 160.12 Liability for failure to detain or deport seamen.
- 160.13 Notice of intention to fine for failure to detain seamen pending inspection; time for opposition; clearance of vessel.
- 160.14 Notice of intention to fine for failure to detain and deport seamen, if required, after inspection; time for opposition; clearance of vessel.
- 160.15 Notice of intention to fine in cases other than under §§ 160.6, 160.13, 160.14; time for opposition; clearance of vessel.
- 160.16 Notice of intention to fine; procedure.
- 160.17 Hearings; submission of evidence and report.
- 160.18 Mitigation or remission of fines.
- 160.19 Notice of decisions; appeal from Commissioner's order.

AUTHORITY: §§ 160.1 to 160.19, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1.

§ 160.1 *Liability for bringing mentally afflicted or diseased aliens.* Whenever the medical examiner certifies that an arriving alien is afflicted with any of the diseases or disabilities mentioned in section 9 of the Immigration Act of 1917, as amended by the Immigration Act of 1924 (43 Stat. 166; 8 U. S. C. 145), the vessel or transportation agency shall pay to the collector of customs (under notice of intention to fine) \$1,000 for each of said aliens and in addition a sum equal to that paid by such alien for his transportation from the initial point of departure, indicated in his ticket, to the port of arrival.

§ 160.2 *Liability for bringing certain aliens afflicted otherwise than as described in § 160.1.* In the case of an alien afflicted with any mental defect other than those specifically named in section 9 of the Immigration Act of 1917, as amended by the Immigration Act of 1924 (43 Stat. 166; 8 U. S. C. 145), or physical defect of a nature which may affect ability to earn a living, when certified as in § 160.1, the vessel or transportation agency shall pay to the collector of customs (under notice of intention to fine) \$250 for each of said aliens and in addition a sum equal to that paid by such alien for his transportation from the initial point of departure, indicated in his ticket, to the port of arrival.

§ 160.3 *Liability for diseased seamen on passenger-carrying vessels.* Whenever the medical examiner certifies that an alien seaman found employed on board any vessel carrying passengers between a port of the United States and a port of a foreign country is afflicted with any of the diseases or disabilities mentioned in section 35 of the Immigration Act of 1917 (39 Stat. 896; 8 U. S. C. 169), such vessel or transportation agency shall pay to the collector of customs (under notice of intention to fine) \$50 for each such seaman.

§ 160.4 *Liability for bringing illiterate or barred-zone aliens.* Where aliens excluded as illiterate or as natives of that portion of the continent of Asia and the islands adjacent thereto described in section 3 of the Immigration Act of 1917 (39 Stat. 875; 8 U. S. C. 136), are brought to the United States in violation of section 9 of said act as amended by the Immigration Act of 1924 (43 Stat. 166; 8 U. S. C. 145), the vessel or transportation agency bringing them shall pay to the collector of customs (under notice of intention to fine) \$1,000 for each of such aliens and in addition a sum equal to that paid by such alien for his transportation from the initial point of departure, indicated in his ticket, to the port of arrival.

§ 160.5 *Liability for bringing solicited aliens.* When aliens have been brought to the United States after having been solicited, invited, or encouraged to come in violation of section 7 of the Immigration Act of 1917 (39 Stat. 879; 8 U. S. C. 143), the vessel or transportation agency bringing them shall pay to the collector of customs (under notice of intention to fine) \$400 for each and every such violation.

§ 160.6 *Liability for failure to supply manifest.* Where the master or com-

manding officer of a vessel bringing aliens into or carrying aliens out of the United States refuses or fails, in violation of section 14 of the Immigration Act of 1917 (39 Stat. 884; 8 U. S. C. 150), to deliver the accurate and full manifests or statements or information, required by section 12 of the Immigration Act of 1917 (39 Stat. 882; 8 U. S. C. 148), regarding aliens brought into or carried out of the United States, such masters or commanding officers shall pay to the collector of customs (under notice of intention to fine) \$10 for each alien concerning whom proper manifest or statement or information is not furnished at the time of arrival with respect to incoming aliens and before the time of the departure of the vessel with respect to outgoing aliens, except that with respect to outgoing aliens such fine shall not be imposed in cases where such manifest or statement or information is delivered after the departure of the vessel and within the time and under the conditions prescribed in § 107.11 of this chapter. The notice of intention to fine required by this section shall be served on the master or commanding officer or person authorized by the master or commanding officer to receive such notice.

**CROSS REFERENCE:** For information regarding form and preparation of manifests, see Part 107 of this chapter.

**§ 160.7 Liability to meet specified expenses.** Whenever a vessel or transportation agency fails or refuses to defray any of the expenses specified in section 15 of the Immigration Act of 1917 (39 Stat. 885, 58 Stat. 816; 8 U. S. C. 151), such vessel or transportation agency shall pay to the collector of customs (under notice of intention to fine) \$300 for each and every violation of said section.

**§ 160.8 Liability for failure to receive and deport excluded alien; accepting security for return expenses; bringing alien previously excluded or deported.** Whenever there has been any refusal or failure by any master, purser, person in charge, agent, owner, or consignee of the kind specified in section 18, Immigration Act of 1917 (39 Stat. 887, 45 Stat. 1551, 58 Stat. 816; 8 U. S. C. 154), or any such person has made any charge or taken any security covering return expenses of an alien, or taken any consideration to be returned in case alien is landed, or knowingly brought to the United States in violation of said section, (a) any alien excluded and deported within a year previously, unless said alien has received from the Attorney General permission to reapply, (b) any alien arrested and ordered deported who thereafter has been deported in pursuance of law or has left the United States, unless such alien was arrested and deported prior to March 4, 1929, and in whose case prior to his reembarkation at a place outside the United States, or his application in foreign contiguous territory for admission to the United States, and prior to March 4, 1929, the Attorney General has granted such alien permission to apply for readmission, such master, purser, person in charge, agent, owner, or consignee shall pay to the collector of customs (under notice of intention to fine) \$300 for each and every

violation of any provision of said section. For the purposes of this part, whenever applicable, the Philippine Islands shall be considered to be foreign country.

**§ 160.9 Liability for failure to deport alien as directed.** Whenever any master, agent, owner, or consignee of any vessel fails or refuses to take on board, guard safely, and transport to specified destination (in violation of section 20 of the Immigration Act of 1917 (39 Stat. 890, 57 Stat. 553; 8 U. S. C. 156)), any alien presented for deportation, such master, owner, or consignee shall pay to the collector of customs (under notice of intention to fine) \$300 for each and every violation of any provision of said section.

**§ 160.10 Liability for bringing immigrant without proper visa.** Where an alien is brought to the United States in violation of section 16 (a) of the Immigration Act of 1924 (43 Stat. 163; 8 U. S. C. 216 (a)), the vessel or transportation agency shall pay to the collector of customs (under notice of intention to fine) \$1,000 for each immigrant so brought and, in addition, a sum equal to that paid by such alien for his transportation from the initial point of departure, indicated in his ticket, to the port of arrival: *Provided*, That such sums shall not be assessed or required for bringing into the United States any alien, if such alien holds an unexpired visa issued by a United States consul within 60 days of the alien's foreign embarkation.

**§ 160.11 Liability for failure to report desertion or landing, or furnish required list of seamen.** Where the owner, agent, consignee, or master fails to report cases of desertion or landing or to deliver the lists required by section 36 of the Immigration Act of 1917 (39 Stat. 896; 8 U. S. C. 171), such owner, agent, consignee, or master shall pay to the collector of customs (under notice of intention to fine) \$10 for each alien concerning whom correct lists are not delivered or true report made as required by said section.

**§ 160.12 Liability for failure to detain or deport seamen.** The owner, charterer, agent, or consignee of a vessel who fails to detain on board any alien seaman until such seaman has been inspected, or fails to detain such seaman on board after such inspection, or deport when required to do so by the proper immigration officer or the Attorney General, as provided in section 20 (a) of the Immigration Act of 1924, as amended (43 Stat. 164, 58 Stat. 817; 8 U. S. C. 167 (a)), shall pay to the collector of customs (under notice of intention to fine), \$1,000 for each alien seaman in respect of whom such failure occurs. Any such penalty in the case of a violation occurring subsequent to June 5, 1940, may upon application in writing therefor, be mitigated by the Attorney General to not less than \$200 for each seaman involved, upon such terms as the Attorney General in his discretion shall think proper.

**§ 160.13 Notice of intention to fine for failure to detain seamen pending inspection; time for opposition; clearance of vessel.** When the ascertained facts indicate that the owner, charterer, agent, consignee, or master of any vessel arriv-

ing in the United States from any place outside thereof has failed to detain on board such vessel all alien seamen employed thereon pending the inspection and examination of such alien seamen by the proper immigration and naturalization official, including the muster of all aliens employed thereon, as required by the proper immigration and naturalization official, notice to the effect that the ascertained facts indicate that a fine should be imposed under section 20 of the Immigration Act of 1924 (43 Stat. 164, 58 Stat. 817; 8 U. S. C. 167) shall be served promptly upon the owner, charterer, agent, consignee, or master of the vessel and that he will be allowed 60 days from the date of service of the notice within which to submit evidence and be heard in reference to the matter. In the meantime the vessel involved, which is the subject of fine proceedings, will be granted clearance papers if there be deposited with the collector of customs, prior to the time of sailing, a sum equal to the fine specified in the said notice, or, where permitted by the act of May 26, 1924, a bond with sufficient surety approved by the collector of customs, as security for the payment of the fine in the event it should be imposed.

**§ 160.14 Notice of intention to fine for failure to detain and deport seamen, if required, after inspection; time for opposition; clearance of vessel.** When the ascertained facts indicate that the owner, charterer, agent, consignee, or master of any vessel arriving in the United States from any place outside thereof has failed or refused to detain or deport any alien seaman as required by the proper immigration officer, the immigration and naturalization official in charge shall forthwith serve or cause to be served upon such owner, charterer, agent, consignee, or master a notice in writing to the effect that the ascertained facts indicate that the fine provided for by section 20 of the Immigration Act of 1924 (43 Stat. 164, 58 Stat. 817; 8 U. S. C. 167) should be imposed for each alien in respect of whom such failure or refusal occurs; and that he will be allowed 60 days from the date of service of the notice within which to submit evidence and be heard in reference to the matter. In every case this notice shall be served upon the same party as was the notice to detain or deport. In the meantime the vessel involved, which is the subject of fine proceedings, will be granted clearance papers if there be deposited with the collector of customs, prior to the time of sailing, a sum equal to the fine specified in the said notice, or, where permitted by the act of May 26, 1924, a bond with sufficient surety approved by the collector of customs, as security for the payment of the fine in the event it should be imposed.

**§ 160.15 Notice of intention to fine in cases other than under §§ 160.6, 160.13, 160.14; time for opposition; clearance of vessel.** When the facts indicate that a fine should be imposed in cases other than those stated in § 160.6, § 160.13, or § 160.14 the immigration and naturalization officer in charge shall serve promptly upon the owner, charterer, agent, consignee, or master of the vessel a notice to the effect that the ascertained facts

## RULES AND REGULATIONS

indicate that a fine should be imposed under the section of law involved in the particular case; that he will be allowed 60 days from the date of service of the notice within which to submit evidence and be heard in reference to the matter. In the meantime the vessel involved, which is the subject of fine proceedings, will be granted clearance papers if there be deposited with the collector of customs, prior to the time of sailing, a sum equal to the fine specified in the said notice, or, where permitted by the Immigration Act of 1924 (43 Stat. 153), a bond with sufficient surety approved by the collector of customs, as security for the payment of the fine in the event it should be imposed; also, in cases arising under section 9 of the Immigration Act of 1917, as amended by the Immigration Act of 1924 (43 Stat. 166; 8 U. S. C. 145), or under section 16 of the Immigration Act of 1924 (43 Stat. 163, 58 Stat. 817; 8 U. S. C. 216), an additional sum equal to that paid by the alien involved for his transportation to this country from the initial point of departure, such additional sum to be held by the collector of customs as a special deposit and to be delivered to the deported alien through the American consul, if fine is imposed. When such alien is accompanied by another alien who is excluded from admission, a further sum equal to that paid by such accompanying alien for his transportation to this country from the initial point of departure shall be deposited with the collector of customs and delivered to the accompanying alien when deportation is effected.

**§ 160.16 Notice of intention to fine; procedure.** Notices prescribed in §§ 160.13-160.15 shall be prepared in quadruplicate. The original shall be served on the master, agent, owner, or consignee of the vessel by (a) delivering it to him in person, or (b) leaving it at his office, or (c) mailing it to him, whenever the immigration and naturalization officer in charge finds the other methods of service inconvenient. When service is made by delivery it shall be admitted in writing upon the duplicate and triplicate and the admission witnessed by the server. If admission be refused, or, in case of service by either of the other methods, the server shall note the method and date of service on the duplicate and triplicate. The duplicate shall be retained by the immigration and naturalization officer in charge. The triplicate shall be delivered to the collector of customs for the district wherein the port of arrival is located, who shall withhold clearance papers until deposit is made or bond furnished as required in §§ 160.13-160.15. The quadruplicate shall be forwarded to the Central Office when the matter of fine is presented for departmental consideration.

**§ 160.17 Hearings; submission of evidence and report.** If, within 60 days after service of the notice of liability (Form I-79), the party against whom proceedings have been instituted under this part demands that he be heard in reference to the matter or if at any time the Commissioner or the Board of Immigration Appeals so directs, the party shall

be given an opportunity to be heard by an immigrant inspector for the purpose of presenting evidence concerning the alleged violation and, where the particular section of law provides for mitigation or remission of penalty, evidence of any mitigating circumstances. The party may be represented by counsel at the hearing. All evidence pertinent to the case, including the testimony of any witnesses, shall be incorporated into the record of hearing. Regardless of whether a hearing is accorded, the record in every case shall consist of evidence which is pertinent and which is to be considered by the Commissioner or, on appeal, the Board of Immigration Appeals in determining the case in behalf of the Attorney General. In every case the record should include such items as the medical certificate, if any; a copy of any record of hearing before a board of special inquiry where facts pertaining to liability for fine were developed as required by § 130.3 of this chapter; a copy of the notice of liability for fine (Form I-79); the evidence upon which such notice was based; the original duplicates of any notices to deliver, detain on board, or remove aliens (Form I-259); evidence as to whether any deposit was made or bond furnished in accordance with the requirements of this part; reports of any investigations conducted; the original of any protest or brief filed; and the application or evidence described in § 160.18 where that section is applicable. The complete record, with the recommendations and reasons therefor of the officer in charge of the port as to whether the fine should be imposed, as to whether any refund should be made, and as to whether any application, which has been filed, for mitigation or remission should be granted, shall be forwarded to the Commissioner either as soon as it is known that the proceeding will not be contested or, in any event, not later than 60 days after service of notice of liability or at the expiration of any authorized extension of that period. If no hearing has been accorded, only the original of the complete record shall be forwarded to the Commissioner, but if a hearing has been accorded, the original and a copy shall be forwarded.

**§ 160.18 Mitigation or remission of fines—(a) Mentally afflicted or diseased alien seamen.** The fine prescribed by section 35 of the Immigration Act of 1917 (39 Stat. 896; 8 U. S. C. 169) for bringing to United States ports as employees of vessels aliens afflicted with idiocy, imbecility, insanity, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease may be mitigated or remitted only upon a clear and convincing showing to the effect that the imposition of the full penalty or of any part thereof would be unjust or inequitable under the circumstances of the particular case, including the submission of satisfactory evidence that the seamen were subjected to a competent medical examination before being signed on as members of the crew. Any application for such mitigation or remission shall be submitted in triplicate to the

officer in charge at the port where the violation is alleged to have occurred and he shall forward the original and duplicate to the Commissioner.

**(b) Seamen not detained on board or deported.** The fine prescribed by section 20 (a) of the Immigration Act of 1924, as amended (43 Stat. 164, 58 Stat. 817; 8 U. S. C. and Sup. 167 (a)), for failure to detain a seaman on board until inspection or for failure after inspection to carry out any order to detain and deport, may be mitigated in the discretion of the Attorney General. An application for such mitigation shall be submitted in triplicate to the officer in charge at the port where the violation is alleged to have occurred and he shall forward the original and duplicate to the Commissioner. Such application shall include information as to what diligence was exercised in detaining the seaman in compliance with the requirements of said section 20 (a) and what efforts were made to apprehend and return him to the vessel, and any other information pertinent to a showing that imposition of the full penalty would be unjust or inequitable. The application may be submitted in conjunction with a protest. After a final order as to liability for fine has been entered, any application solely for mitigation shall be decided by the Commissioner.

**(c) Time limitation.** An application for mitigation may be filed in conjunction with an appeal but an application for mitigation shall not in itself be regarded as an appeal. With respect to violations occurring on or after February 1, 1946, any application for mitigation shall be made within a reasonable time not to exceed 90 days after notice of decision has been furnished in accordance with § 160.19.

**(d) Form.** All applications for mitigation shall be in writing and, when based upon assertions of fact, shall be supported by the unqualified affidavit of the applicant. If, however, any assertions of fact are made solely upon information and belief, the application shall be supported by the affidavit of the applicant to the effect that the allegations in the application are true and correct to the best of his knowledge, information, and belief, and the application shall be accompanied by such supporting evidence as is available to the applicant.

**§ 160.19 Notice of decisions; appeal from Commissioner's order.** The Commissioner shall furnish notice of the decision in all cases to the appropriate field office, and shall, in accordance with § 90.9 of this chapter, serve a copy of his decision and order upon the party against whom the proceedings were instituted or his counsel or representative. The field office shall inform the collector of customs promptly in the event no penalty is imposed, and in all other cases upon the disposition of any appeal, or at the expiration of the time in which an appeal may be entered. The responsibility for such action as may be appropriate in carrying out the provisions of the decision lies with the collector of customs.

## PART 163—SUBPENAING WITNESSES

Sec.  
 163.1 Subpna; authority for; when exercised.  
 163.2 Issuance and service of subpna; invoking aid of court; report.  
 163.3 Expenses of subpnaed witnesses; reports.

AUTHORITY: §§ 163.1 to 163.3, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. §§ 163.1 to 163.3, inclusive, interpret and apply sec. 16, 39 Stat. 885; 8 U. S. C. 152.

§ 163.1 *Subpna; authority for; when exercised.* District directors and inspectors in charge are authorized to subpna witnesses and require the production of books, papers, and documents touching the right of any alien to enter, reenter, reside in, or pass through the United States, and to that end they may invoke the aid of any court of the United States. The power to issue subpna should be exercised only when absolutely necessary. Whenever an inspector conducting an investigation or a board of special inquiry holding a hearing has reason to believe that a certain witness whose testimony is deemed essential to a proper decision of the case will not appear and testify or produce books, papers, and documents unless commanded to do so, such inspector or the chairman of such board shall request the district director or inspector in charge to issue a subpna and have it served upon such witness. If an alien or his authorized representative requests that a witness be subpnaed, he shall be required, as a condition precedent to the granting of the request, to state in writing what he expects to prove by such witness or the books, papers, and documents indicated by him and to show affirmatively that the proposed evidence is relevant and material and that he has made diligent efforts without success to produce the same. The examination of the witness or of the books, papers, and documents produced by him shall be limited to the purpose specified in such written statement of the alien or his authorized representative. When a witness has been examined by the investigating officer and counsel has not had an opportunity to cross-examine such witness and it is apparent or is shown that such witness will not appear for cross-examination unless commanded to do so, a subpna shall issue.

§ 163.2 *Issuance and service of subpna; invoking aid of court; report.* Upon determining that a witness whose evidence is desired either by the Government or the alien will not appear and testify or produce written evidence unless commanded to do so, the district director or inspector in charge shall issue a subpna and have it served upon the witness by an immigration officer or employee, in conformity with this part, due record of such service to be made. If the witness neglects or refuses to respond to the subpna, the United States attorney of the proper district shall be requested so to report to the appropriate district court, and move that an order be issued requiring the witness to appear or to produce written evidence, as provided by section 16 of Immigration Act

of 1917 (39 Stat. 885; 8 U. S. C. 152), or for action as therein specified in the event of continued neglect or refusal. District directors or inspectors in charge shall submit promptly to the Central Office a report of each subpna issued under the terms of this part.

§ 163.3 *Expenses of subpnaed witnesses; reports.* If a witness subpnaed at the request of the alien or his representative demands that he be compensated for time lost from his employment, arrangements therefor must be made by the alien or his representative as a condition precedent to the issuance of the subpna. If a subpna is issued under authority of section 16 of the Immigration Act of 1917 (39 Stat. 885; 8 U. S. C. 152), at the request of an inspector or the chairman of a board, mileage and fees may be paid at rates not to exceed those usually allowed by the United States district court for the district in which the testimony is taken. Where the total amount of mileage and fees exceeds \$25, specific authority must be obtained in advance from the Central Office.

## PART 164—PERMIT TO REENTER THE UNITED STATES

Sec.  
 164.1 Qualifications.  
 164.2 Application; form; fee.  
 164.3 Action on application.  
 164.4 Issuance; effect; delivery in United States.  
 164.5 Emergent cases; delivery outside United States.  
 164.6 Extensions.  
 164.7 Disposition at port of entry.

AUTHORITY: §§ 164.1 to 164.7, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. §§ 164.1 to 164.7, inclusive, interpret and apply sec. 10, 43 Stat. 158, 8 U. S. C. 210.

§ 164.1 *Qualifications.* Any alien who is a lawful permanent resident of the United States and who is about to depart temporarily therefrom may make application for a permit to reenter the United States.

CROSS REFERENCE: For resident alien's border crossing identification card, see §§ 166.1-166.6 of this chapter.

§ 164.2 *Application; form; fee.* The application for a permit to reenter the United States shall be made, under oath, on Form I-131, which may be obtained from any office of the Immigration and Naturalization Service, and should be submitted at least 30 days before the proposed date of departure, to the Commissioner of Immigration and Naturalization or to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. A separate application must be made for each applicant. A parent or guardian may file an application in behalf of a child who is under the age of 14 years. Each application shall be accompanied by the statutory fee of \$3, remitted as prescribed in § 60.30 (b) of this chapter. Each application shall also be accompanied by two photographs of the applicant, which shall meet the specifications in § 364.1 of this chapter. The application shall include—(a) name currently used; (b) time, place, and manner

of last recorded arrival in the United States; (c) name used at time of entry; (d) father's name and mother's maiden name; (e) age, marital status, and occupation at time of entry; (f) place and date of birth; (g) last permanent residence and name and address of nearest relative in country whence alien came; (h) name and address of person to whom destined at time of last entry; (i) personal description as of date of filing application; (j) by whom accompanied at time of last entry; (k) address in the United States, and what temporary address abroad will be; (l) marital status at the date of filing application, and if married the name and address of husband or wife; (m) nature of business or employment and name of employer; (n) port and date of proposed departure, name of vessel on which sailing, length of proposed absence, and reasons for going abroad.

§ 164.3 *Action on application.* (a) An application accepted by a field office shall be examined as to execution. If the application is improperly executed, it may be returned to the applicant with instructions. If there is doubt as to the applicant's qualifications, the applicant may be interviewed. A written question-and-answer statement may be taken. The examining officer shall endorse the application to show whether any such interview or the examination of the application disclosed ground for denial. The application shall be forwarded to the Commissioner with the fee, photographs, and any statements taken. At the same time, in cases where the applicant's entry to the United States is not recorded in the Central Office, a verification of such entry shall be forwarded, or caused to be forwarded by use of Form I-423, to the Commissioner.

(b) An application accepted by the Commissioner shall be examined as to execution and as to the applicant's qualifications. Verification of the applicant's entry to the United States shall be made. If the application is improperly executed, it may be returned to the applicant with instructions. If there is doubt as to the applicant's qualifications, the application may be forwarded to the appropriate field office for interview of the applicant.

(c) Any claim made in addition to, or in substitution for, any of those contained in the original application must be made under oath and filed in the same manner as the original application and will be subject to the same interrogation and investigation as required for the original application.

§ 164.4 *Issuance; effect; delivery in United States.* (a) If the Commissioner of Immigration and Naturalization finds that the applicant has the qualifications specified in § 164.1 and that the application is made in good faith, he shall issue the permit and it shall be valid for the time therein specified, not to exceed one year. Such permit will, however, have no effect under the immigration laws except to show that the alien to whom it is issued is returning from a temporary visit abroad.

(b) The Commissioner shall forward the permit to reenter to the office designated by the applicant, and the appli-

cant shall secure it in person at such office prior to departure from the United States. Permits will not be delivered to one member of a family for another member or to one person for another. Before delivery of a permit is made, an immigrant inspector shall compare the photograph appearing thereon with the person calling for the permit and shall make delivery only upon satisfactory identification and where any minor discrepancies indicated by the Commissioner are satisfactorily explained. When a permit is delivered, the applicant shall sign it. All permits shall be endorsed, partly on the photograph and partly on the permit, by the officer making delivery. If it is concluded for any reason that the permit should not be delivered, it shall be returned to the Commissioner with a report of the facts.

(c) When an application for a permit to reenter the United States is denied, the fee shall be returned to the applicant.

**§ 164.5 Emergent cases; delivery outside United States.** Where the examining officer is satisfied at the time an application is submitted in person that an emergency exists which necessitates departure prior to the issuance of the permit, he shall require the foreign address of the applicant to be given in the application and shall affix a notation thereto concerning the nature of the emergency. Where such a request is made subsequent to the submission of the application, it shall be in the form of a sworn statement before an immigrant inspector setting forth the nature of the emergency and the foreign address to which it is desired the permit be mailed. The officer receiving the statement shall indicate thereon whether he is satisfied that an emergency exists and shall forward the statement to the Commissioner with a photograph of the applicant and with information as to the date on which the original application was mailed. In any emergent case, the Commissioner of Immigration and Naturalization may authorize the mailing of a permit to an applicant at a foreign address.

**§ 164.6 Extensions.** If the holder of a permit to reenter desires an extension thereof, he shall, prior to the expiration of the validity of such permit, file with the Commissioner of Immigration and Naturalization an application in writing stating (a) his name, and address in the United States; (b) when, where, and by what means he departed from the United States; (c) port of landing and date of arrival abroad; (d) countries visited in the order visited; (e) reason for requesting extension and period for which desired; and (f) applicant's foreign address to which permit is to be returned. The application should be executed under oath before an American consular officer. The application for extension shall be accompanied by the permit to reenter and by the statutory fee of \$3, which shall be remitted as prescribed in § 60.30 (b) of this chapter and shall be payable in the United States in American money. If the application for extension is granted, such action shall be endorsed on the permit and the permit mailed to the applicant at his foreign address. If

the extension is denied, the permit may be returned to the applicant if the remaining period of its validity permits of its use for return to the United States. On good cause, the validity of the permit to reenter may be extended for a period or periods not exceeding six months each. If an application for an extension is denied, the fee for the extension should be returned to the applicant.

**§ 164.7 Disposition at port of entry.** The action in disposing of an application for admission to the United States of an immigrant presenting a permit to reenter the United States shall be endorsed on the permit in the space provided thereon and the permit shall be transmitted to the Commissioner: *Provided*, That where final action results in the exclusion of the alien, a permit shall not be forwarded to the Commissioner until the deportation or return of the alien: *Provided*, That a permit surrendered at a subport shall be forwarded directly to the Commissioner.

#### PART 165—FORMAL PETITIONS AND APPLICATIONS

Sec.

- 165.1 Petition for nonquota or preference quota immigration visa; requirements.
- 165.2 Nonquota or preference quota status; date of establishment; alteration of status.
- 165.12 Temporary stay in United States; extension; form of application and necessary data.
- 165.13 Temporary stay in United States; extension; application; who may grant; conditions; limitations.
- 165.13a Final authority of district directors to deny applications for extension of stay filed by aliens admitted for 29 days or less.
- 165.14 Visitors or tourists in United States; failure to maintain status.
- 165.20 Verification of arrival of lawfully resident alien relative of applicant for visa.

**AUTHORITY:** §§ 165.1 to 165.20, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 165.1 Petition for nonquota or preference quota immigration visa; requirements.** (a) Subject to the limitations described in paragraph (b) of this section, a citizen of the United States claiming that any immigrant is his relative and properly admissible to the United States as a nonquota immigrant, or that any immigrant is entitled to preference in the issuance of an immigration visa, shall, in order to establish such nonquota or preference status for such immigrant, file with the Commissioner of Immigration and Naturalization a typewritten petition in duplicate (Form I-133), alleging under oath (1) petitioner's name and address; (2) if a citizen by birth, date and place of birth; (3) if a naturalized citizen, date and place of admission to citizenship, name of court admitting him, and the number of the certificate of naturalization, if any; (4) name and address of petitioner's employer, length of time employed, nature

and character of business or occupation, where located and net annual income derived therefrom; (5) if sole owner of unencumbered real estate, place located, and value; (6) petitioner's net worth; (7) degree of the relationship of the immigrant for whom petition is made, date and place of birth of such immigrant, and, if for a wife or husband, when, where, and by whom married; and (8) names of all the places where such immigrant has resided prior to and at the time when petition is filed: *Provided*, That where the petitioner alleges citizenship by birth a duly authenticated birth certificate or other documentary evidence showing birth in the United States shall be filed with the petition: *Provided further*, That where it is alleged that petitioner acquired citizenship through naturalization prior to the 27th day of September 1906, or in cases where naturalization has occurred within 90 days preceding the filing of the petition, certificate of naturalization shall be filed with the petition, and when a woman petitioner alleges citizenship through the naturalization of her husband prior to the marriage, a duly authenticated certificate of marriage or other documentary evidence showing when and where such marriage took place shall be filed with the petition: *And provided further*, That if the petitioner claims to have derived citizenship through his parent's naturalization or resumption of citizenship prior to 12 noon, e. s. t., May 24, 1934, documentary evidence of such naturalization or resumption during the petitioner's minority and of his entry into the United States prior to attaining majority shall be filed; and if petitioner claims that such citizenship was so derived after 12 noon, e. s. t., May 24, 1934, documentary evidence of facts bringing the case within section 2 of General Order 211, of August 2, 1934, shall be filed.

(b) No Chinese person as defined in section 5 (b) of the act of July 2, 1946 (60 Stat. 417; 8 U. S. C., Sup., 212c), is entitled to a nonquota or preference quota status solely because of his relationship to a citizen of the United States. A preference up to 75 per centum of the quota for the Chinese prescribed by section 2 of the act of December 17, 1943 (57 Stat. 601, 60 Stat. 975; 8 U. S. C., Sup., 212a), shall be given to Chinese persons born and resident in China. There are no other preferences in the issuance of immigration visas under the quota for the Chinese prescribed by section 2 of that act. An alien who is a Chinese person as defined in section 5 (b) of the act of July 2, 1946 (60 Stat. 417; 8 U. S. C., Sup., 212c), and who is seeking a preference in the issuance of an immigration visa under the said quota for the Chinese because of alleged birth and residence in China shall not be required to file an application for such preference with the Commissioner of Immigration and Naturalization but shall submit required proofs to the appropriate American consular officer. The quota for the Chinese authorized by section 2 of the act of December 17, 1943, does not affect the quota of 100 prescribed for China by the President's Proclamation No. 2283, of April 28,

1938. Any citizen of the United States may proceed as described in paragraph (a) of this section in behalf of any relative, other than one who is a Chinese person as defined in section 5 (b) of the act of July 2, 1946 (60 Stat. 417; 8 U. S. C., Sup., 212c), who was born in China and is not ineligible to citizenship: *Provided*, That nothing in this section shall be construed to deprive a Chinese alien wife of a United States citizen of nonquota status which she may derive because of marriage to a United States citizen nor to prevent any citizen of the United States from proceeding in accordance with paragraph (a) of this section in behalf of a Chinese alien wife. (Sec. 9, 43 Stat. 157, 50 Stat. 164; 8 U. S. C. 209)

§ 165.2 *Nonquota or preference quota status; date of establishment; alteration of status.* The nonquota status of alien wives, husbands, and children of American citizens, under section 4 (a), or the preferential status of husbands and parents under section 6 (a) (1) (A) of the Immigration Act of 1924, as amended (43 Stat. 155, 45 Stat. 1009, 47 Stat. 656; 8 U. S. C. 204 (a), 206 (a)), will be established as of the date when a properly executed petition of the citizen is filed with the Immigration and Naturalization Service, except that when a petition for a preference status is approved while the beneficiary is in the United States, the priority to be accorded the alien will be adjusted at the time of his application for a visa to accord with the date of his departure from the United States, as determined by the consular officer. In all cases, however, non-quota or preference quota, the issuance of a visa will be withheld and approval of the petition may be revoked if it is ascertained that the petitioner has since lost his American citizenship, has died, or has become divorced from the beneficiary wife or husband; or, in the case of a child, if application for the visa is not made before reaching the age of 22 years, or if he has become married. In such cases report will be made by the consular officer in order that the Department may reconsider the approval theretofore granted. (Sec. 9, 43 Stat. 157, 50 Stat. 164; 8 U. S. C. 209)

§ 165.12 *Temporary stay in United States; extension; form of application and necessary data.* Applications to extend the time of temporary admission granted pursuant to the provisions of section 3 (2) of the Immigration Act of 1924 (43 Stat. 154; 8 U. S. C. 203), shall be made by the nonimmigrant alien under oath on Form I-539, and shall state the name, age, and occupation of the alien; whether married or single; and, if married, the name and present address of the husband or wife and children, if any; country of alien's birth; country of alien's present allegiance; place of residence abroad; number, date, and place of issue of passport visa; date passport expires; time, place, and manner of arrival in the United States; nonimmigrant class to which alien belongs as shown by passport visa; whether in possession of return passage or ticket; time originally fixed for departure from the United States; date and length of extensions previously granted, if any; resi-

dence in the United States; if visiting relatives or friends, names and addresses of such relatives or friends; if admitted for the transaction of business, the nature and character of such business; if employed, or engaged in business in the United States, when, where, and by whom employed, or the nature and character of the business engaged in and the monthly salary or income derived from such employment or business; and reasons in detail why the time fixed for alien's departure shall be extended: *Provided*, That a separate Form I-539 (application to extend time of temporary stay) shall be filed by each member of the family, with the exception that the father or mother may apply on the same form for children under 16 years of age, if such children were accompanied by the father or mother at time of entry. (Sec. 15, 43 Stat. 162, 47 Stat. 524, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 215)

§ 165.13 *Temporary stay in United States; extension; application; who may grant; conditions; limitations.* Applications to extend the time of temporary stay as provided for in § 165.12, shall be presented to the officer in charge at the port of arrival not less than 15 nor more than 30 days prior to the expiration of the time fixed for the departure of the alien from the United States, and where the officer in charge is satisfied clearly and beyond a doubt that the merits of the case are such that the applicant is entitled to remain longer in the United States, in pursuance of the purpose for which he originally entered, such application may be passed upon favorably without referring same to the district head. In no instance, however, shall the stay of an alien, admitted for a temporary visit, be extended by the officer in charge at the port of entry for a period in excess of one year from the date of original entry. Where the officer in charge concludes that the application should not be granted, or where the extension applied for is beyond the period of one year from the date of original entry, the application shall be forwarded to the district head for determination, the application to be accompanied by a statement of reasons for such reference. If the officer in charge is of the opinion that an extension should be granted but that the best interests of the Government require that a bond be given to insure maintenance of status, he shall refer such application to the district head with a statement of reasons. The district head shall pass upon all applications where the request involves a visit of more than one year but not more than two years from the date of entry, and he shall also pass upon all cases up to one year which are referred to him by inspectors in charge at the port of entry. He may require a bond in the sum of \$500, requiring the applicant to maintain the status under which admitted and to voluntarily depart at the expiration of the time allowed. Where the district head concludes that the application should not be granted or the application is for a period in excess of two years from the original date of entry, he shall forward it to the Central Office

for decision, with a statement of the reasons for his conclusion. Applications for extensions shall not be granted except in cases where the reasons given are persuasive and unless the applicant, if a passport would be required to accomplish deportation, is possessed of a passport valid 60 days after the expiration date of the requested extension. In no instance will an application be granted where an applicant, who has been admitted temporarily for business or pleasure, has taken up employment, or employment different from that for which admitted, or it is apparent that it is the applicant's desire to remain permanently in the United States. No extension beyond one year shall be granted a naturalized citizen of a country contiguous to the United States, unless he presents with the application a certificate from the consular representative of the country of which he is a citizen, indicating that he has registered with that consular representative for the purpose of retaining his citizenship. (Sec. 15, 43 Stat. 162, 47 Stat. 524, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 215)

§ 165.13a *Final authority of district directors to deny applications for extension of stay filed by aliens admitted for 29 days or less.* Notwithstanding the requirement in § 165.13 that certain cases be forwarded to the Central Office for decision, the district director shall have final authority to deny applications for extension of stay filed by aliens admitted to the United States for a period of 29 days or less under section 3 (2) or 3 (3) of the Immigration Act of 1924 (43 Stat. 154; 8 U. S. C. 203). Extensions of stay shall be granted to such aliens only in emergent or other extraordinary cases. (Sec. 15, 43 Stat. 162, 47 Stat. 524, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 215)

§ 165.14 *Visitors or tourists in United States; failure to maintain status.* Any alien admitted temporarily to the United States as a nonimmigrant under section 3 (2) of the Immigration Act of 1924 (43 Stat. 154; 8 U. S. C. 203) shall be considered as having failed to maintain his status as that term is used in section 15 of that act (47 Stat. 524; 8 U. S. C. 215) if after having been admitted as a tourist or visitor for pleasure he engaged in any business or occupation or employment, or if after having been admitted for business he engaged in any business or occupation or employment other than that given as a reason for his request for temporary admission. (Sec. 15, 43 Stat. 162, 47 Stat. 524, 54 Stat. 711, 59 Stat. 672; 8 U. S. C. and Sup., 215)

§ 165.20 *Verification of arrival of lawfully resident alien relative of applicant for visa.* In order that American consuls may be advised whether the husband, father, or mother of an alien applying for a visa under section 6 (a) (2) of the Immigration Act of 1924 (43 Stat. 155, 45 Stat. 1009; 8 U. S. C. 206), or any other relative of an applicant for a visa, has been lawfully admitted to the United States for permanent residence, a Form I-475 should be furnished to the husband, father, mother, or interested relative upon request therefor. The form should be filled out by such person and mailed to

## RULES AND REGULATIONS

the immigration and naturalization officer in charge at the port of his or her last entry, if arrival was before July 1, 1924, and to the Central Office, if arrival was after that date on an immigration visa or a reentry permit, or if arrival is based on a record of registry. The certification on the reverse of Form I-475 will be executed in every case where a record is found. A statement will be made under "Remarks" to show the character of the admission and any discrepancies observed between the statements in the Form I-475 and the facts shown by the record of admission. The Form I-475 will be mailed direct by the verifying office to the "Department of State, Washington, D. C." for transmittal to the appropriate American consul abroad. The date of verification and the consulate to which the form is to be sent should be noted on the record of admission. If no record of the alleged arrival can be found, the Form I-475 will be returned to the applicant with a statement to that effect, unless investigation is deemed necessary to determine the need for further action by the Service. In verifications made by ports of entry where the manifest record shows a permit number, a departure reference, a Central Office file number, or where the entry appears to be fraudulent, the request will be routed through the Central Office for checking and appropriate action.

**PART 166—ALIENS' BORDER CROSSING IDENTIFICATION CARDS**

Sec. 166.1 Resident alien's border crossing identification card; qualifications to obtain.  
 166.2 Resident alien's border crossing identification card; application.  
 166.3 Resident alien's border crossing identification card; issuance; validity.  
 166.4 Resident alien's border crossing identification card; use.  
 166.5 Resident alien's border crossing identification card; extension or revalidation.  
 166.6 Resident alien's border crossing identification card; cancellation.  
 166.11 Nonresident alien's border crossing identification card; qualifications to obtain.  
 166.12 Nonresident alien's border crossing identification card; application.  
 166.13 Nonresident alien's border crossing identification card; issuance; validity.  
 166.14 Nonresident alien's border crossing identification card; use.  
 166.15 Nonresident alien's border crossing identification card; cancellation.

**AUTHORITY:** §§ 166.1 to 166.15, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 1337; 8 CFR, 90.1. §§ 166.1 to 166.15, inclusive, interpret and apply sec. 30, 54 Stat. 673, 8 U. S. C. 451.

**§ 166.1 Resident alien's border crossing identification card; qualifications to obtain.** A resident alien's border crossing identification card may be issued to any alien who, upon application therefor, submits satisfactory evidence that he (a) has been legally admitted to the United States for permanent residence and has not relinquished the status of a permanent resident, (b) has complied with the applicable provisions of the Alien Regis-

tration Act, 1940, and (c) has a legitimate purpose and reasonable need to make a temporary visit or visits to Canada or Mexico, with no single visit to exceed a period of six months: *Provided, however,* That no such card shall be issued nor shall any such card previously issued be renewed unless the applicant or holder thereof is a person who is permitted to depart from the United States under the terms of laws, regulations, Executive orders, or other governmental restrictions regulating the departure of aliens from the United States in effect at the time application for such card or renewal thereof is made.

**§ 166.2 Resident alien's border crossing identification card; application.** Application for a resident alien's border crossing identification card shall be made, upon a form prescribed for that purpose, at any immigration and naturalization field office in the continental United States or Alaska. The applicant shall appear in person and, under oath or affirmation, shall execute his application, before an immigrant inspector, prior to his departure from the United States, except that an alien whose identification card has been lost or destroyed subsequent to his departure may execute an application for a card before an immigrant inspector when applying for admission to the United States if the outstanding identification card had not yet expired. The applicant shall furnish a photograph, size 2 by 2 inches, the distance from the top of head to point of chin to be approximately 1 1/4 inches, unmounted, printed on thin paper with a light background, clearly showing a full front view of the features of the applicant without hat, and it shall have been taken within 30 days of the date when it is furnished. Where because of unusual circumstances it would be a hardship for the applicant to obtain such photograph, the immigrant inspector considering the application may in his discretion waive the furnishing of the photograph.

**§ 166.3 Resident alien's border crossing identification card; issuance; validity.** If the applicant is found to have the qualifications enumerated in § 166.1, the identification card may be issued to him by an immigrant inspector. Entries on the card shall be made by typewriter, if practicable, or in ink, and the applicant shall sign the card in ink, either with his full name or by witnessed mark after proper identification. The applicant's photograph shall be fastened on the card unless the furnishing of the photograph was waived, in which case his right index finger print shall be placed on the card in lieu of his photograph. The card shall be valid for an initial period of not to exceed six months, and the expiration date shall be fixed accordingly and written on the card when it is issued. The identification card shall be delivered to the applicant on his personal appearance in the office where the application is filed, except that where justified by unusual circumstances the card may be delivered to him either before or after his departure from the United States through some other immi-

gration and naturalization office or by mailing it to him.

**§ 166.4 Resident alien's border crossing identification card; use.** The rightful holder of a valid resident alien's border crossing identification card issued under § 166.3 may present that document in lieu of an immigration visa or reentry permit when applying for admission at any land, water, or air port of entry in the continental United States or Alaska as a returning legal resident after an absence from the United States of not more than six months, provided that during such absence he shall not have visited any foreign territory other than Canada or Mexico. The presentation of a resident alien's border crossing identification card shall not otherwise relieve the applicant from establishing that he is not subject to exclusion from the United States.

**CROSS REFERENCE:** For permits to enter and passports, see Part 175 of this chapter.

**§ 166.5 Resident alien's border crossing identification card; extension or revalidation.** On the request of the holder and with the limitations prescribed in this section, a resident alien's border crossing identification card, either before or after its expiration, may be made valid by an immigrant inspector at any office authorized under § 166.2 to accept applications, for an additional period or periods not exceeding six months each. Such a card may also be extended or revalidated at a United States immigration station in Canada, where the holder satisfactorily establishes that the card was valid when he departed from the United States, but such extension or revalidation shall be only to a date within six months after the date on which such departure occurred. An expired card may be revalidated if the holder applies for admission to the United States, is found to be otherwise admissible, and satisfactorily establishes that the card was valid when he departed from the United States and that he has not been absent from the United States for more than six months. Each additional period of validity shall commence on the date the extension of validity or revalidation is granted. No card shall be made valid unless the holder has the qualifications enumerated in § 166.1. No card issued before November 14, 1941, shall be extended or revalidated notwithstanding any extensions or revalidations thereof which may have been subsequently granted. Extension or revalidation shall preferably be granted by the original issuing office, but if that is not practicable, such action may be taken by any other authorized office. All extensions or revalidations granted shall be endorsed on the card and the issuing office notified of the action taken if the extension or revalidation was granted by an office other than the original issuing office.

**§ 166.6 Resident alien's border crossing identification card; cancellation.** All resident aliens' border crossing identification cards which were issued before November 14, 1941, are hereby canceled notwithstanding any extensions or revalidations which may have been subse-

quently granted, and when they come to the attention of officers of the Service, such cards shall be lifted from the holder and filed in the original issuing office. Any valid or expired resident alien's border crossing identification card which was issued on or after November 14, 1941, and which is found in the possession of an alien who does not have the qualifications enumerated in § 166.1 or who is making improper use of the card, shall be lifted from the holder and returned to the original issuing office for cancellation, together with a report of the reasons therefor: *Provided, however,* That no card shall be lifted and canceled if found in the possession of an alien applying for admission to the United States unless and until the holder has been excluded by a board of special inquiry.

§ 166.11 *Nonresident alien's border crossing identification card; qualifications to obtain.* A nonresident alien's border crossing identification card may be issued to any alien who, upon application therefor, submits satisfactory evidence that he (a) is a native-born citizen of Canada, domiciled or residing therein, or a British subject domiciled or residing in Canada or a native-born citizen of Mexico domiciled or residing therein, (b) is in possession of a valid passport or document in the nature of a passport duly issued to the holder by the appropriate authorities of the government of which he is a citizen or subject, if such a travel document be a requirement for entry, (c) desires temporary admission into the United States for a period or periods of not more than 29 days each, and (d) is admissible to the United States under the immigration laws: *Provided, however,* That no such card shall be issued unless the applicant is known or shown to be a person who has complied fully with all provisions applicable to him of laws, regulations, Executive orders, or other governmental restrictions regulating the entry of aliens to the United States in effect at the time application for such card is made: *Provided further,* That such card may be issued to an applicant who desires temporary admission into the United States for a period or periods of less than six months if such applicant is entitled under the provisions of §§ 175.48 (gg) and 176.107 (w) of this chapter to enter the United States for such period or periods.

§ 166.12 *Nonresident alien's border crossing identification card; application.* Application for a nonresident alien's border crossing identification card shall be made, upon a form prescribed for that purpose, at a United States immigration office located at any land, water, or air port of entry in the continental United States or Alaska or at any United States immigration station located in Canada. The applicant shall appear in person and, under oath or affirmation, shall execute his application before an immigrant inspector. The applicant shall furnish his photograph, prepared under the specifications prescribed for photographs in § 166.2, or the furnishing of the photograph may be waived under the conditions stated in § 166.2.

§ 166.13 *Nonresident alien's border crossing identification card; issuance; validity.* If the applicant is found to have the qualifications enumerated in § 166.11, the identification card shall be issued to him by an immigrant inspector. Entries on the card shall be made by typewriter, if practicable, or in ink, and the applicant shall sign the card in ink, either with his full name or by witnessed mark after proper identification. The applicant's photograph shall be fastened on the card unless the furnishing of the photograph was waived, in which case his right index finger print shall be placed on the card in lieu of his photograph. The card shall be valid for an unlimited time unless it is canceled as provided in § 166.15. The identification card shall be delivered to the applicant on his personal appearance in the office where the application is filed, except that where justified by unusual circumstances the card may be delivered to him by mail prior to his entry to the United States.

§ 166.14 *Nonresident alien's border crossing identification card; use.* The rightful holder of a nonresident alien's border crossing identification card issued under § 166.13, or by a United States diplomatic or consular officer, may present such card in lieu of a consular visa, if that document be required, when arriving direct from Canada or Mexico and applying for admission to the United States at any land, water, or air port of entry in the continental United States or Alaska. The presentation of a nonresident alien's border crossing identification card shall not otherwise relieve the applicant from establishing that he is not subject to exclusion from the United States.

**CROSS REFERENCE:** For permits to enter and passports, see Part 175 of this chapter.

§ 166.15 *Nonresident alien's border crossing identification card; cancellation.* All nonresident aliens' border crossing identification cards which were issued before November 14, 1941, are hereby canceled notwithstanding any extensions or revalidations which may have been subsequently granted, and when they come to the attention of officers of the Service, such cards shall be lifted from the holder and filed in the original issuing office. Any valid or expired nonresident alien's identification card which was issued on or after November 14, 1941, and which is found in the possession of an alien who does not have the qualifications enumerated in § 166.11 or who is making improper use of the card, shall be lifted from the holder and returned to the original issuing office for cancellation, together with a report of the reasons therefor: *Provided, however,* That no card shall be lifted and canceled if found in the possession of an alien applying for admission to the United States unless and until the holder has been excluded by a board of special inquiry.

#### PART 169—IMMIGRATION BONDS

##### Sec.

169.1 *Acceptable sureties.*

169.2 *Approval; extension agreements; consent of surety; collateral security.*

169.3 *Violation; authority to cancel.*

**AUTHORITY:** §§ 169.1 to 169.3, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 102, 222, 458; sec. 1, Reorg. Plan No. V (3 CFR, Cum. Supp., Ch. IV); 8 CFR, 90.1.

**NOTE:** §§ 169.1 to 169.3, inclusive, prescribe procedural and substantive provisions under, and interpret, those sections of the immigration laws pertaining to bonds, including 9th proviso, sec. 3, 39 Stat. 875, sec. 18, 39 Stat. 887, 45 Stat. 1551, 58 Stat. 816, sec. 20, 39 Stat. 890, 57 Stat. 553, secs. 21, 22, 39 Stat. 891, sec. 15, 43 Stat. 162, 47 Stat. 524, 54 Stat. 711, 59 Stat. 669; 8 U. S. C. 136 (q), 8 U. S. C. and Sup., 154, 156, 8 U. S. C. 158, 159, 8 U. S. C. and Sup., 215.

**NOTE:** Part 169 becomes effective Sept. 1, 1947.

§ 169.1 *Acceptable sureties.* In cases other than those where cash or postal money orders are deposited pursuant to § 110.20 of this chapter, the following are the only acceptable sureties on a bond furnished in connection with the administration of the immigration laws or regulations:

(a) A surety company authorized by the Treasury Department to transact Federal bond business;

(b) A surety who deposits United States bonds or notes of the class described in section 1126 of the Revenue Act of 1926, as amended (6 U. S. C. 15), and Treasury Department Regulations issued pursuant thereto, which bonds or notes are not redeemable within one year from the date on which they are offered for deposit; or

(c) Sureties, who must be two in number, each of whom shall justify in real property not exempted from levy and sale upon execution, which real property is actually valued, over and above all encumbrances, at double the amount of the bond, and each of whom shall, in addition to making such justification, satisfactorily establish to the immigration and naturalization officer or employee authorized to approve the bond that his net worth, over and above all obligations and liabilities of any kind, secured or unsecured, is equal to double the amount of the bond.

**CROSS REFERENCES:** For list of companies acceptable as sureties on Federal bonds, see 31 CFR Part 226 (Treasury Department Form 356 issued semiannually); for acceptance of United States bonds or notes as security, see 31 CFR Part 225 (Treasury Department Circular No. 154, revised February 6, 1935).

§ 169.2 *Approval; extension agreements; consent of surety; collateral security.* (a) Regardless of the section of law or regulations under which the bond has been required, the officers in charge of the several ports, stations, or districts are authorized, either directly or through officers or employees designated by them, where no substantial change is made in the conditions printed on the forms, to approve bonds which are prepared on the following approved forms:

(1) Form I-331 or Form 557, "Bond for Alien Admitted for Medical Treatment".

(2) Form I-336 or Form 636, "Bond for Alien in Transit".

(3) Form I-337 or Form 637, "Bond Conditioned for Departure of an Alien Temporarily Admitted under the Immigration Act of 1924 as a Tourist or Visitor for Business or Pleasure".

## RULES AND REGULATIONS

(4) Form I-338 or Form 638, "Bond That an Alien Admitted in Pursuance of a Treaty to Carry on Trade Shall Depart upon Failure to Maintain Status".

(5) Form I-353 or Form 553, "Bond Conditioned for the Delivery of an Alien".

(6) Form I-354, "Bond That Alien shall Not Become a Public Charge".

(7) Form I-355, "Bond Conditioned for Guarantee of Payment of Hospital Expenses of Alien Receiving Treatment under the Provisions of section 22, Immigration Act of 1917 (39 Stat. 891; 8 U. S. C. 159)".

(8) Form I-372 or Form 572, "Bond for Payment of Extra Compensation for Overtime Services of Immigrant Inspectors and Employees in Connection with the Examination and Landing of Passengers and Crews".

(9) Form I-374 or Form 574, "Bond Conditioned for Departure of an Alien Temporarily Admitted under the Immigration Act of 1924 as a Student".

(b) Such officers are also authorized to approve formal agreements by which a surety consents to an extension of his liability on any such bond and to approve any power of attorney executed on Form I-312 or Form I-313 which purports to authorize the delivery after its release of collateral deposited to secure the performance of any such bond to some person or concern other than the depositor thereof. Unless otherwise specifically provided, bonds prepared on the forms listed in paragraph (a) of this section, all agreements of extension of liability relating thereto, and all powers of attorney for delivery of collateral security deposited in connection therewith shall be retained at the ports, stations, or districts where approved. Bonds prepared on any form other than one of those listed in paragraph (a) of this section, or bonds prepared on any such forms in which the conditions have been materially altered, as well as any agreements of extension of liability relating thereto and any powers of attorney to receive back collateral deposited in connection therewith, shall be submitted to the Commissioner of Immigration and Naturalization for approval. Regardless of the form on which the bond is prepared, any power of attorney not executed on Form I-312 or Form I-313, purporting to authorize the delivery after its release of any deposit of collateral security to some person or concern other than the depositor thereof, shall be forwarded, together with the bond and all appurtenant documents, to the Commissioner for approval. In the same manner, all requests for delivery of collateral security to a person other than the depositor or his approved attorney in fact shall be forwarded to the Commissioner for approval. Instruments and other papers forwarded to the Commissioner under the provisions of this paragraph shall be handled by the General Counsel in accordance with the provisions of § 90.17 (d) of this chapter.

**§ 169.3 Violation; authority to cancel.** If any condition of a bond executed in connection with the administration of the immigration laws is violated, the district director shall report the facts to the Commissioner of Immigration and Naturalization and shall forward with his report the bond and all appurtenant documents, including in the case of a bond containing the condition that an alien shall not become a public charge,

a statement of the exact amount of any expenditure made in the alien's behalf by any agency of the United States Government or of any state or local government. Except as otherwise specifically provided in this chapter, if all the conditions of a bond executed in connection with the administration of the immigration laws are complied with, the district director shall cancel the bond by issuing Form I-391. Such authority to cancel shall include any case in which none of the conditions of the bond had been violated and all of the conditions ceased to have effect because:

(a) The alien departed, or was deported, from the United States;

(b) The warrant for the arrest or deportation of the alien was canceled;

(c) The alien complied with an order suspending his deportation;

(d) The alien died;

(e) The alien was imprisoned;

(f) The alien was naturalized as a citizen of the United States; or

(g) A new bond was furnished to take the place of the existing bond.

If a bond canceled by a district director is on file in the Central Office, the district director shall notify the Commissioner of Immigration and Naturalization of the cancellation.

#### PART 170—REGISTRATION AND FINGERPRINTING OF ALIENS IN ACCORDANCE WITH THE ALIEN REGISTRATION ACT, 1940

##### Sec.

- 170.1 Persons required to register and be fingerprinted.
- 170.2 Who are aliens required to register and be fingerprinted.
- 170.3 Time and place of registration and fingerprinting.
- 170.4 Method of registration.
- 170.5 Disposition of registration forms and fingerprints.
- 170.6 Notice of change of residence and address of resident aliens within five days.
- 170.7 Aliens not permanently residing in the United States.
- 170.8 Registration and fingerprinting of alien seamen.
- 170.9 Replacement of lost, mutilated, or destroyed receipt of registration.

**AUTHORITY:** §§ 170.1 to 170.9, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1288; 8 U. S. C. 102, 222, 458, 5 U. S. C. 1337; 8 CFR, 90.1. §§ 170.1 to 170.9 inclusive, interpret and apply secs. 30-38, 54 Stat. 673-676; 8 U. S. C. 451-459.

**§ 170.1 Persons required to register and be fingerprinted**—(a) Aliens, fourteen years of age or over, in or entering the United States on or after August 27, 1940, remaining thirty days or longer. Any alien who is in the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States) on August 27, 1940, and who (1) is fourteen years of age or older, (2) has not been registered and fingerprinted in accordance with any of the provisions of the Alien Registration Act, 1940, and (3) remains in the United States for thirty days or longer, must apply for registration and be fingerprinted on or before December 26, 1940.

(b) **Persons remaining thirty days or longer.** Subject to paragraph (k) of this section, any alien who enters the United States (including Alaska, Hawaii, Puerto

Rico, and the Virgin Islands of the United States) after August 27, 1940, and who (1) is fourteen years of age or older, (2) has not been registered and fingerprinted in accordance with any of the provisions of the Alien Registration Act, 1940, and (3) remains in the United States for thirty days or longer, must apply for registration and be fingerprinted before the expiration of such thirty days. The provisions of this paragraph shall apply to all alien seamen as defined in § 120.1 of this chapter who are admitted to the United States as nonimmigrants under the provisions of section 3 (5) of the Immigration Act of 1924 and who have not been registered and fingerprinted on Forms AR-102-S, AR-103-S, and AR-4.

(c) **Children under fourteen years of age, in or entering the United States on or after August 27, 1940; duty of parent or legal guardian.** Every parent or legal guardian of any alien child who is in the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States) on August 27, 1940, and who (1) is less than fourteen years of age, (2) has not been registered in accordance with any of the provisions of the Alien Registration Act, 1940, and (3) remains in the United States for thirty days or longer, must apply for the registration of such alien child on or before December 26, 1940.

(d) **Duty of parent or legal guardian.** Subject to paragraph (k) of this section, every parent or legal guardian of any alien child who enters the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States) after August 27, 1940, and who (1) is less than fourteen years of age, (2) has not been registered in accordance with any of the provisions of the Alien Registration Act, 1940, and (3) remains in the United States for thirty days or longer, must apply for the registration of such alien child before the expiration of such thirty days.

(e) **Aliens attaining fourteenth birthday on or after August 27, 1940, must apply in person within thirty days after such birthday.** Whenever, on or after August 27, 1940, any alien attains his fourteenth birthday in the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States), he shall, within thirty days after such birthday, apply in person for registration and fingerprinting.

(f) **Aliens fourteen years or older entering United States on visa issued on or after August 27, 1940.** No alien seeking to enter the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States) upon a visa issued on or after August 27, 1940, who at the time of issuance of the visa was fourteen years of age or older, shall be admitted unless he shall have been registered and fingerprinted in duplicate.

(g) **Aliens under fourteen years of age entering United States on visa issued on or after August 27, 1940.** No alien seeking to enter the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States) upon a visa issued on or after August 27, 1940, who at the time of issuance of the visa was under fourteen years of age,

shall be admitted unless he shall have been registered in duplicate.

(h) *Foreign government officials and families.* No foreign government official, or member of his family, shall be required to register or to be fingerprinted.

(1) The term "foreign government official," as used in the Alien Registration Act, 1940, and in this part, shall be construed to mean:

(i) Foreign diplomatic officers eligible to appear in the Diplomatic List issued monthly by the Department of State;

(ii) Foreign consular officers of career;

(iii) Employees of diplomatic missions;

(iv) Employees of foreign consular offices;

(v) Other officials of foreign governments who are in the United States in an official capacity, including commissioned officers, on active duty, of the military, naval, and air forces of foreign countries; and including official delegates to international conventions and official conferences and their staffs, attendants, and employees;

(vi) Foreign government officials who are in the United States as temporary visitors or in transit through the United States: *Provided, however,* In all such cases, except those of ambassadors and ministers and members of their missions whose names appear on the blue Diplomatic List published monthly by the Department of State, that within thirty days after the arrival of any such foreign government official, or his employment as a foreign government official, in the United States the Department of State is notified by the appropriate diplomatic mission, on an official form supplied by the Department of State of the full name of such official, together with such other information as the Department of State deems appropriate, and that the Department of State accepts such notification as satisfactory and recognizes the status claimed.

(2) The term "member of his family," as used in the Alien Registration Act, 1940, and in this part, shall be construed to include a relative by blood or marriage who is regularly residing in, or is a member of, the household of a foreign government official. It shall also be construed to include a servant or other domestic employee residing as an employee in the household of a foreign government official: *Provided,* That within thirty days after the arrival or employment in the United States of any such servant or employee the Department of State is notified by the appropriate diplomatic mission, on an official form supplied by the Department of State of the full name of such servant or employee, together with such other information as the Department of State deems appropriate, and that the Department of State accepts such notification as satisfactory and recognizes the status claimed.

(3) Any person who, having had the status in the United States of a foreign government official or member of his family, shall cease to maintain such status, shall within thirty days of such cessation apply for registration and to be fingerprinted.

(i) *Laborers imported under general or group waivers.* Aliens who enter the United States during the national emergency for a temporary period to assist in the war effort under general or group waivers granted by the Attorney General under the fourth or ninth proviso to section 3 of the Immigration Act of 1917 (39 Stat. 875; 8 U. S. C. 136 (h) and (q)), shall not be registered but shall be fingerprinted by executing Form AR-4, on the obverse of which shall be placed the notation "Admitted as imported laborer under (general or group) waiver." The executed form shall be mailed direct to the Federal Bureau of Investigation, Washington 25, D. C. Such aliens shall not be refingerprinted at the time of any reentries which they may make while having the status described in this paragraph.

(j) *Aliens ordered deported.* Aliens under order of deportation shall register in accordance with the regulations in this part.

(k) *Time limitation on registration.* Any alien or the parent or guardian of any alien who is in the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States) on August 27, 1940, will have complied with the requirements of the Alien Registration Act as to his first registration if he registers and is fingerprinted on or before December 26, 1940.

(l) *Aliens temporarily entering United States under orders of their governments.* Notwithstanding any other provisions of this section, any alien temporarily entering the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States) under orders of his government and in whose case the Secretary of State has waived the requirement of a visa will not be required to be registered and fingerprinted while in the United States in accordance with the orders of his government, but if he continues to remain in the United States beyond the period required by the orders of his government, he shall then be required to be registered and fingerprinted in accordance with the applicable provisions of this part within 30 days from such time.

(m) *Canadian citizen visitors.* Any alien admitted to the United States under the provisions of §§ 175.48 (gg) and 176.107 (w) of this chapter shall be exempt from the provisions of paragraphs (b), (d), and (e) of this section if such alien's visit in the United States is completed in less than six months, but if the visit extends for six months or more, the application required by those three paragraphs shall be made immediately upon the expiration of the six-month period.

**§ 170.2 Who are aliens required to register and be fingerprinted—(a) Definition of "alien."** An alien, as the term is used in this part, includes any person who is not a citizen of the United States.

(b) *United States citizenship, acquisition of.* United States citizenship is acquired by birth or naturalization, but a person who, being an alien, has applied for naturalization does not become a citizen until he has been finally admitted to citizenship as required by law.

(c) *Persons in doubt of alienage, to register.* Persons who may be in doubt as to whether they are aliens required to register and be fingerprinted may consult any representative of the Immigration and Naturalization Service. Any person who continues to remain in doubt as to his status should register. No person who registers shall thereby suffer any prejudice to his claim to citizenship.

**§ 170.3 Time and place of registration and fingerprinting.** (a) Registration shall commence on August 27, 1940. Any person in the United States on that date who is required to register and be fingerprinted, or to register, may do so at any time on or before December 26, 1940. All other persons required by law to register and be fingerprinted, or to register, shall do so in conformity with § 170.1.

(b) *Post Offices, first- or second-class designated, or any other place the Commissioner of Immigration and Naturalization may designate.* Any person in the United States required by law to register and be fingerprinted, or to register, may be registered and fingerprinted, or register:

(1) At any first-class or second-class post office in the United States, or

(2) At the post office at the seat of government of any county, parish, or equivalent political subdivision in the United States, or

(3) At any other post office or other place which the Commissioner of Immigration and Naturalization shall hereafter designate, or authorize to be designated, as a registration office, or

(4) At any field office of the Immigration and Naturalization Service, or

(5) At the option of any registration officer who is an employee of the Immigration and Naturalization Service, at any other place at which said registration officer shall find it most convenient to conduct the registration and fingerprinting, or registration.

(c) *Post offices not designated, alien or any person or guardian may apply for information.* Any alien, or any parent or guardian of an alien under fourteen years of age, who resides in an area in which there is no registration office but which is customarily served by a post office which has not been designated as a registration office, may apply at such post office for registration and to be fingerprinted or for registration. The postmaster at such post office shall inform the alien (or his parent or guardian) of the location of the nearest designated registration office or offices. If the alien (or his parent or guardian) states that he will be unable to appear at such office or offices and requests that he be permitted to register and be fingerprinted, or register, at the post office customarily serving the area in which he resides, he shall be required to fill out and sign Form AR-13. The postmaster shall promptly forward such form, as so filled out and signed, to the nearest office of the Immigration and Naturalization Service and the registration officer at such office shall make arrangements to register and fingerprint, or register, the alien, or will request in writing that those functions be performed by a registration

## RULES AND REGULATIONS

officer more conveniently located to accomplish them.

(d) *Aliens, inmates of penal and eleemosynary institutions, aged, infirm or otherwise incapacitated; arrangements for.* The postmaster in each registration office, if requested in writing by the Immigration and Naturalization Service so to do, will make special arrangements for the registration and fingerprinting of alien inmates confined to penal and eleemosynary institutions within his registration area.

(e) *Special arrangements on request for fingerprinting.* The postmaster in each registration office, if requested in writing by the Immigration and Naturalization Service so to do, will make special arrangements for the registration and fingerprinting of aged, infirm, or otherwise incapacitated aliens within his registration area.

**§ 170.4 Method of registration—(a) Officers, postmasters, postal employees designated by postmasters and persons designated by the Commissioner of Immigration and Naturalization.** Any postmaster in a post office designated as a registration office, or postal employee designated by such a postmaster, or any immigrant inspector, naturalization examiner, special inspector, or Border Patrol inspector of the Immigration and Naturalization Service, or any other person heretofore or hereafter designated by the Commissioner of Immigration and Naturalization, shall be a registration officer, authorized to register and fingerprint aliens in accordance with the provisions of this part: *Provided, however, That on and after January 1, 1943, no postmaster or other postal employee shall exercise or perform any of the functions or duties of a registration officer unless such postmaster or postal employee has first been requested in writing by an officer of the Immigration and Naturalization Service to perform such functions and duties in connection with the case of a particular alien, and the registration and fingerprinting of any alien by a postmaster or other postal employee in contravention of this proviso shall be invalid as a compliance with the provisions of Title III of the Alien Registration Act, 1940.*

(b) *Certification of registration officers.* Any postmaster who shall designate any person as a registration officer shall certify that fact to the Immigration and Naturalization Service.

(c) *Forms for registration and fingerprinting.* Registration shall be made by each person required to register himself or another, upon Form AR-2 (the primary registration form) and Form AR-3 (the attached receipt) and, in appropriate cases, on Form AR-2a (for supplemental information, to be made a part of Form AR-2) and Form AR-4 (the fingerprint form); and the registration shall in all respects conform to these forms. However, if the alien required to be registered and fingerprinted is a seaman who was admitted to the United States as a nonimmigrant under the provisions of section 3 (5) of the Immigration Act of 1924, the provisions of this section and of §§ 170.5 and 170.6 are to be followed except where there are spe-

cial provisions prescribed in § 170.8 for the registration and fingerprinting of such seamen.

(d) *Instructions for registration.* Specimen copies of the registration form (Form AR-1) including abbreviated instructions and suggestions for the alien (or his parent or guardian) shall be printed and placed in all post offices or registration offices and in such other places as may be deemed appropriate for general distribution; and, together with copies of these regulations, shall be posted at prominent places in the registration offices.

(e) *Duties of registration officers.* The registration officer shall fill in the registration forms with information furnished him by the alien (or his parent or guardian) and all fingerprints shall be taken by the registration officer.

(f) *Forms for fingerprinting.* The registration officer shall take the complete fingerprints of each alien who is required to be fingerprinted in the space provided for that purpose on Form AR-4, and shall take a single, specified fingerprint on Forms AR-2 and AR-3. A parent or guardian registering on behalf of an alien need not be fingerprinted.

(g) *Forms, signed and sworn to by registrant, or parent or guardian.* The registration forms (Forms AR-2, AR-3, and, if used, AR-4 and AR-2a) must be personally signed and sworn to (or affirmed) by the alien (or his parent or guardian) before a registration officer.

(h) *Registration forms may be signed by mark in presence of witness, if registrant is unable to write.* If the alien (or his parent or guardian) is unable to write, he must make his mark in the signature space in the registration forms, and his mark shall be witnessed by a witness other than the registration officer. The witness shall sign his name and address on the registration forms near the mark, and the words "witnessed by" shall precede the witness's signature.

(i) *Oath or affirmation to registration information required; duties of officers.* If the alien (or his parent or guardian) has conscientious scruples against taking an oath, he may make affirmation to the truth and completeness of his statements and answers in the registration.

(j) *Manner of taking oath or affirmation.* All registration officers are hereby authorized to administer to the alien (or his parent or guardian) the oath or affirmation required herein. The oath is to be taken by the alien (or his parent or guardian) raising his right hand and swearing to the truth and completeness of the statements and answers made by him in the registration. Affirmation may be made by the alien (or his parent or guardian) raising his right hand and declaring that he solemnly affirms the truth and completeness of the statements and answers made by him in the registration.

(k) *Registration of insane or incompetent aliens, persons responsible for.* Any alien who is insane or otherwise incompetent or of unsound mind may be registered by his legal guardian, trustee, or committee, or by such other person as may be charged by law with his care or custody. If no such person is available,

then such an alien may be registered by whatever person is actually responsible for his care or custody. Any person registering in behalf of any insane alien shall answer to the best of his ability the questions required to be put to the alien, and shall swear (or affirm) that such alien to the best of his knowledge and belief is insane; but the alien himself, if fourteen years of age or older, shall be fingerprinted.

(l) *Information required for registration.* The following information shall be furnished by each alien fourteen years of age or older; in the case of a parent or guardian applying for the registration of an alien under fourteen years of age, the information stated to be required of the alien shall be furnished by such parent or guardian.

(1) *Name or names used by the alien.* The alien shall give in full his present legal name. He shall also give the name under which he first arrived in the United States, as it was spelled at the time of arrival. The alien shall list all the names by which the alien has ever been known, either in the United States or outside, including the maiden name of a married woman, the original name or names of an adopted child, business or professional name, aliases and nicknames. If the alien is under fourteen years of age, then his mother's maiden name shall be listed. All names given by the alien shall be in the English alphabet.

(2) *Address in United States both residential and mailing.* The alien shall give the location of his residence, that is, the place where the alien habitually sleeps. If he has no such place, he shall so state. He shall also give the address where his mail is regularly received or delivered.

(3) *Date of birth, city, town, village, province and country of birth.* The alien shall state the month, day, and year of his birth, according to the American (that is, Gregorian) calendar. He shall also state the city, town, or village (or nearest city, town, or village), the province and the country of his birth, as they existed at the time of birth. The alien shall name as the country of his birth the state or power which, at the time of his birth, exercised dominion and sovereignty over the place of his birth.

(4) *Country of which alien is a citizen or subject.* The alien shall name the country, if any, of which he is a citizen or subject, or to which he owes allegiance. If the alien is not a citizen of any country, he shall so state; he shall, in such a case, state the country of which he was last a citizen or subject, or to which he last owed allegiance.

(5) *Sex, race, marital status.* The alien shall state his sex, and marital status. If the alien is separated from his or her husband or wife, but not divorced, he shall be listed as married. The alien shall state the race to which he belongs. Persons of mixed blood shall not be considered members of the white race; they shall be considered as belonging to the racial stock other than white from which they may have sprung. Persons sprung from more than one racial stock other than white shall list themselves under "Other" as of mixed blood.

Hindus shall be listed under "Other" as Hindus.

(6) *Height, weight, color of hair and eyes.* The alien, if fourteen years of age or older, shall state his height in feet and inches, his weight in pounds, and the color of his hair and eyes.

(7) *Place, date and port of last arrival in the United States.* The alien shall state the place and date of his last arrival in the United States. The alien shall state the port or other city or town at which he last arrived in the United States. If he did not arrive at any port, city, or town, he shall state the port, city, or town near which he last arrived in the United States. The alien shall not report as a last arrival any return from a visit of less than six months in Canada or Mexico. His return from a visit to any other place outside the United States shall be considered his last arrival. The alien shall also state the mode of transportation by which he last arrived in the United States. If the alien arrived by boat, he shall state the name of the vessel or ship. If the alien does not remember the vessel or ship, he shall state the name of the steamship company which transported him to the United States. The alien shall also indicate the manner in which he last arrived in the United States; that is, whether as a passenger, member of a crew, stowaway, or otherwise. The alien shall also state the immigration classification under which he last entered the United States; that is, whether he entered as a permanent resident, visitor, student, treaty merchant, seaman, official of a foreign government, employee of a foreign government official, or otherwise. The alien shall also state the date of his first arrival in the United States. A first arrival shall be defined as the earliest arrival following which the alien remained for six months or longer.

(8) *Length of residence in the United States.* The alien shall state the total number of years he has lived in the United States since his first arrival, as stated in subparagraph (7) of this paragraph, whether continuously or at different times. Visits of less than six months outside the United States shall not be deducted from the total period. Any period longer than six months which the alien has spent outside the United States shall be deducted. The alien shall also state whether he intends to stay in the United States permanently, and if not, how long he expects to stay.

(9) *Occupation, if fourteen years of age or older.* The alien, if fourteen years of age or older and not insane or incompetent, shall state his ordinary or usual occupation. This shall be defined as the trade, business, or profession by which the alien ordinarily earns his livelihood. He shall also state the trade, business, or profession in which he is at present engaged, even though it may differ from his usual occupation. The alien shall also state the name and address of the person, firm, or corporation by which he is employed, together with the business or industry in which said person, firm, or corporation is engaged. If the alien is himself engaged in some trade, business, or profession, he shall so indicate, and shall state his business address. In any case, including that of an insane or in-

competent alien, where a parent, guardian, or other person registers in behalf of the alien, such parent, guardian, or other person shall give his own name, address, and business, and this information shall be recorded in the space reserved on Form AR-2 for statement of the name, address, and business of the alien's employer.

(10) *Activities, clubs, lodges, groups, organizations, or societies.* The alien, if fourteen years of age or older, shall state any activities in addition to his occupation in which he is, has been within the past five years, or intends to be engaged. The alien shall list the names of all clubs, lodges, groups, organizations, or societies to which he belongs or in which he participates. If the alien holds any office or official position in any of these clubs, lodges, groups, organizations, or societies, he shall so state.

(11) *Military, naval, or other service in armed forces of any country.* If an alien, fourteen years of age or older, has had military, naval, or other service in the armed forces of any country including the United States, and including the auxiliary arms of service, he shall state the name of the country or countries, the branch or branches of service, and the dates of enlistment and discharge. If he has engaged in military or naval activity, not actually in the armed forces of any government, he shall so state and indicate its nature.

(12) *Steps taken towards naturalization.* The alien, if eighteen years of age or older, shall state whether he has filed a preliminary naturalization form (N-300) for a declaration of intention to become a citizen, referred to in Forms AR-1 and AR-2 as an application for "first citizenship papers," and, if he has so filed, he shall state the date or dates of the filing of such preliminary form. If the alien's declaration of intention has been filed in a court (that is, if he has received his "first citizenship papers"), he shall state the date of filing of his declaration in court, the number, and the city or State where the declaration was filed. If the alien has filed a petition for naturalization in a court, he shall give the date, or dates, of such filing and the city and State where filed. If the alien has filed only a preliminary naturalization form (N-400) for such petition for naturalization, he shall so state in the space marked "filed petition for naturalization" by inserting the words "preliminary form for" so as to read "filed preliminary form for petition for naturalization," and shall give the date, or dates, of such filing and the city and State where filed. In the case of any alien under eighteen years of age, this information shall relate to either of the alien's parents who has taken any step to secure naturalization. If neither parent has taken any such step, it shall be so stated.

(13) *Relatives living in the United States.* The alien shall state whether he has one or both parents or a husband or wife living in the United States. He shall also state the number of his children, if any, living in the United States.

(14) *Criminal record in or outside the United States.* The alien, if fourteen years of age or older, shall state whether or not he has at any time been arrested,

tried or convicted for any criminal offense, either in the United States or outside. An offense shall not be considered criminal unless made so by the law of the State or country where the alien was arrested, tried, or convicted. He shall state the nature of the offense, the date of arrest, the city, town or county, the State or country (if outside the United States) where he was arrested, tried, or convicted, and the disposition of the case.

(15) *Affiliations with political activities of foreign governments.* The alien, if fourteen years of age or older, shall state whether, during the past five years, he has been affiliated with or active in (a member of, official of, a worker for) organizations, devoted in whole or in part to influencing or furthering the political activities, public relations, or public policy of a foreign government. If the alien has been affiliated with or active in any such groups or organizations, he shall list them. If he holds an office or official position in any such group or organization, he shall so state. The registration officer shall not undertake to enumerate or define any such groups or organizations.

(m) *Alien to exhaust all possible sources of information.* Whenever an alien (or his parent or guardian) states that he is unable to supply any portion of the information required by Form AR-2, the registration officer shall ask the alien if he has exhausted all possible sources of information. If the alien answers that he has done so, the registration officer shall write "Don't know" in the space reserved for such information in Form AR-2.

(n) *Aliens who believe themselves not subject to registration.* If any person indicates to the registration officer that he does not believe himself subject to registration and fingerprinting, but that he is registering for his own protection, the registration officer shall so note on Form AR-2, after completing the registration. The notation shall be made on the margin of the form and shall be as follows: "Applicant doubts need for registration."

(o) *Signature and fingerprint of alien on Form AR-3.* After the alien shall have duly executed and sworn to (or affirmed) his registration, he shall sign Form AR-3 in the space provided for his signature, and shall place a single specified fingerprint thereon. In the case of an alien under fourteen years of age, the parent or guardian, after having executed and sworn to (or affirmed) the registration, shall sign Form AR-3; but such parent or guardian need not place his fingerprint thereon. In the case of an insane or incompetent alien, the guardian or other person registering in his behalf, after having executed and sworn to (or affirmed) the registration, shall sign Form AR-3; but the registration officer in such case shall take the alien's own fingerprint thereon.

(p) *Receipt of registration as evidence of registration, compliance with any and all laws necessary, no legal duty to carry receipt on person.* The Immigration and Naturalization Service shall, at the earliest practicable date, cause to be delivered to the alien (or his parent or

## RULES AND REGULATIONS

guardian) a receipt of registration (Form AR-3), which shall be evidence of registration. The issuance of such receipt shall not relieve the alien (or his parent or guardian) from full compliance with any and all laws and regulations of the United States now existing or hereafter made concerning aliens; nor shall it be construed to confer upon the alien (or his parent or guardian) immunity from any liability, pain, penalty, or punishment incurred by the alien (or his parent or guardian) for violation of any law of the United States either before or after its issuance. The alien is under no legal duty or obligation to carry said receipt on his person, and he shall suffer no penalty or disadvantage for failing to do so.

(q) *Lost receipts, affidavit under oath and proof thereof, duplicate receipt issued.* A receipt shall not be issued to any person who has already obtained one unless he surrenders his former receipt, except in case of loss, mutilation, or destruction of the original receipt in which event it may be replaced in accordance with § 170.9. No person shall use a receipt relating to any other person (except in behalf of his minor child or ward). If the alien dies, permanently departs, or is deported from the United States, his receipts shall be returned to the Immigration and Naturalization Service. If any person finds a lost receipt of registration, he shall return it to the Alien Registration Division, Immigration and Naturalization Service, Washington, D. C.

§ 170.5 *Disposition of registration forms and fingerprints.* (a) The registration forms and fingerprints shall be sent promptly by registration officers to the Immigration and Naturalization Service, Washington, D. C. If the registration and fingerprinting, or registration, was conducted by an employee of the Immigration and Naturalization Service, forms and fingerprints shall be forwarded through the district director of Immigration and Naturalization having jurisdiction over the place at which registration occurred. If the registration occurred in a post office on or after January 1, 1943, and the registration officer was a postmaster or other postal employee who performed the functions of a registration officer in the case of a particular alien at the written request of an officer of the Immigration and Naturalization Service, the forms and fingerprints shall be forwarded to the office of that Service which requested the registration and fingerprinting of the alien.

(b) *Registration and fingerprinting records secret and confidential.* All information furnished by the alien (or by his parent or guardian) in connection with registration and fingerprinting shall be secret and confidential and shall be made available only to such persons or agencies as may be designated by the Commissioner with the approval of the Attorney General. It shall be unlawful for any registration officer or any other person to divulge any such information to any person or agency not so designated.

§ 170.6 *Notice of change of residence and address of resident aliens within five days.* Whenever any registered alien who is a permanent resident in the United States shall change his place of residence, he (or, in the case of an alien under fourteen years of age, his parent or guardian) shall, within five days, report such change to the Immigration and Naturalization Service. A change of residence shall mean only a change of permanent dwelling place. The alien (or his parent or guardian) may report this information upon Form AR-11.

§ 170.7 *Aliens not permanently residing in the United States.* Any alien or the parent or guardian of any alien less than fourteen years of age who is not a permanent resident of the United States and who is required by law to register shall report to the Commissioner the alien's residence at the end of each period of three months' residence in the United States regardless of whether or not the alien has changed his residence. The alien (or his parent or guardian) may report this information on Form AR-11.

§ 170.8 *Registration and fingerprinting of alien seamen.* An alien seaman who was admitted to the United States as a nonimmigrant under the provisions of section 3 (5) of the Immigration Act of 1924 and who is required to be registered and fingerprinted because he has remained in the United States for thirty days or longer shall be registered and fingerprinted on Seaman Form AR-102-S (the primary registration form); Seaman Form AR-103-S (the attached receipt); in appropriate cases when necessary on Form AR-2a (for supplemental information, to be made a part of Seaman Form AR-102-S), and on Form AR-4 (the fingerprint form). The registration officer shall record on Form AR-102-S only the information required by Items 1, 3, 4, 5 (a), 5 (c), 6, and 13, which includes the name of the alien; the date and place of birth; the name of the country, if any, of which the alien is a citizen or subject, or to which he owes allegiance; the alien's sex and race; the alien's personal description; whether the alien has one or both parents or husband or wife or children living in the United States, except that if any such relatives or any other relatives of the alien are residing in the United States, their names, addresses and relationship shall also be listed in the spaces provided under Item 14 on the form. The registration officer shall take the fingerprints of the alien on Form AR-4 and the alien shall furnish all information required therein. The receipt of registration (Form AR-103-S) shall be plainly stamped "The holder of this card is not permitted to work ashore or on coastwise vessels." The receipts of registration issued on Form AR-103-S shall bear no time limitation with respect to validity. Such receipts shall be delivered to the seamen at the time of registration.

§ 170.9 *Replacement of lost, mutilated, or destroyed receipt of registration.* (a) Except as hereinafter provided, any alien whose registration receipt card has been

lost, mutilated, or destroyed may apply for a new receipt card in lieu thereof. Such application shall be made under oath or affirmation, on a form prescribed for that purpose, and shall be submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter.

(b) When the application for a new receipt card is received by the district director, he shall assign the investigation of the application to any officer of the Service within his jurisdiction. The investigating officer shall conduct such inquiry into the circumstances surrounding the alleged loss, mutilation, or destruction of the original receipt card as to satisfy himself that such loss, mutilation, or destruction has occurred. If a receipt card has been mutilated, it must be surrendered to the investigating officer before a new card will be issued. The investigating officer shall also satisfy himself that the applicant is the individual to whom the registration record relates, and shall make an further inquiry justified by the facts in a particular case. If deemed advisable, written sworn statements concerning any pertinent facts may be obtained from the applicant and any other persons whose testimony should be secured. Upon completion of the investigation, the investigating officer shall recommend the granting or denial of the application for a new receipt card, and if his recommendation is adverse, he shall state the reasons therefor in writing. The investigating officer shall obtain the applicant's signature and a print of his right index finger upon Form AR-3a and shall type on the face of that form the name and present address of the applicant. If for any reason the impression of the right index finger cannot be taken, the impression of another finger should be obtained and the form suitably endorsed to show which finger and hand.

(c) The investigating officer shall then forward the application and any testimony taken from the applicant and other persons, together with Form AR-3a, to the district director having jurisdiction. The district director or an officer designated by him shall review the record and may, if he deems it advisable, refer the case to the same or any other officer of the Service for further investigation. If no further investigation is considered necessary, the entire record shall be forwarded to the Alien Registration Division. The reviewing officer shall indicate whether he concurs with the recommendation of the investigating officer, and if not, he shall state the reasons for his nonconcurrence.

(d) Upon consideration of the application and record in the Central Office, the Chief of the Alien Registration Division may, if he is satisfied that the original receipt has been lost, mutilated, or destroyed, sign the Form AR-3a, place thereon the proper registration number, and mark the form to show that it is a duplicate issued in lieu of an original receipt which has been lost, mutilated, or destroyed. Both the original date of registration and the date of issuance of the duplicate shall be shown on the new card. If the said officer is not satisfied that a duplicate should be issued, he shall

deny the application. If the record indicates that any further action is desirable or necessary in connection with the case of the alien, it should be referred to the appropriate division of the Central Office for consideration of such further action.

(e) If a duplicate receipt card on Form AR-3a is issued, it shall be sent direct to the applicant by the Alien Registration Division.

(f) Any alien child who was less than fourteen years of age at the time of his registration upon the basis of an application made by his parent or legal guardian under §§ 170.1 (c) or 170.1 (d) and who desires to obtain a new registration receipt card in lieu of a lost, mutilated, or destroyed original may, if the alien is less than fourteen years of age at the time application is made, obtain a new card through the procedure specified in paragraphs (a) to (e) of this section. In such cases, however, the application for a new card shall be executed by the child's parent or guardian, preferably the same person who made application for the original registration; the testimony of the parent or guardian instead of that of the child shall be obtained and the new Form AR-3a, if issued, shall be delivered to the parent or guardian. No fingerprint of the alien child need be obtained on Form AR-3a, which shall be signed by the parent or guardian. In any such case in which no parent or guardian is available, the matter shall be reported to the Alien Registration Division for special instructions concerning the procedure to be followed in replacing the original receipt card.

(g) An alien seaman who has been admitted to the United States as a nonimmigrant under the provisions of section 3 (5) of the Immigration Act of 1924, has remained for thirty days or more, has been registered and fingerprinted, and whose alien registration receipt card (Seaman Form AR-103-S) has been lost, destroyed, or mutilated, should be re-registered and given a new original receipt card. In such cases, any mutilated receipt card must be surrendered before another card is delivered.

**PART 172—IMMIGRATION, EXCLUSION, AND DEPORTATION OF FILIPINOS UNDER THE PROVISIONS OF THE PHILIPPINE REHABILITATION ACT OF 1946 AND THE PHILIPPINE TRADE ACT OF 1946**

**§ 172.1 Trainees.** Any Filipino admitted temporarily to the United States for training or instruction under the provisions of subsection (d) of section 311 of the Philippine Rehabilitation Act of 1946 (60 Stat. 139; 50 U. S. C. App., Sup., 1791) shall depart from the United States within 60 days after the date on which such training or instruction is terminated. Such a person shall not be admitted to the United States for a specific period of time but shall be admitted for the duration of his existing status, and the immigration officer in charge at the port where the admission occurs shall make arrangements to receive, from the bureau or agency under whose supervision or control the training or instruction is given, notification of the termination of the training or

instruction. (Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR, 90.1.)

**PART 175—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED**

**ALIENS LEAVING**

Sec.

175.21 Definitions.

175.22 Permits to depart required.

175.23 Aliens exempted from obtaining permits to depart.

175.24 Refusal of permission to depart.

175.25 Classes of aliens not entitled to depart.

175.26 Departure from the Canal Zone.

175.27 Departure from the Philippine Islands.

175.28 Authority to make additional regulations.

175.29 Departure not permitted in special cases.

175.30 Departure permitted in special cases.

175.31 Applications for permits to depart.

175.32 Effective date.

**ALIENS ENTERING**

175.41 Definitions.

175.42 Passports and permits to enter required.

175.43 Passports and permits to enter not guarantees of admission.

175.44 Immigrants not required to present passports and permits to enter.

175.45 Immigrants required to present passports but not permits to enter.

175.46 Immigrants required to present permits to enter but not passports.

175.47 Immigrants not required to present passports or permits to enter in special cases.

175.48 Nonimmigrants not required to present passports and permits to enter.

175.49 Nonimmigrants required to present passports but not permits to enter.

175.50 Nonimmigrants required to present permits to enter but not passports.

175.51 Nonimmigrants not required to present passports or permits to enter in special cases.

175.52 Refusal of permission to enter.

175.53 Classes of aliens whose entry is deemed to be prejudicial to the public interest.

175.54 Aliens leaving close relatives in certain foreign countries.

175.55 Permission to enter the Canal Zone, Guam, American Samoa, and the Philippine Islands.

175.56 Aliens traveling through areas of military operations or occupation.

175.57 Entry not permitted in special cases.

175.58 Additional requirements for officials of foreign governments.

175.60 Procedure for issuance of permits to enter.

175.61 Cases requiring advisory opinions.

175.62 Procedure in obtaining advisory opinions.

175.63 Effective date.

**ALIENS LEAVING**

**AUTHORITY:** §§ 175.21 to 175.32, inclusive, issued under Proc. 2523, Nov. 14, 1941, 6 F. R. 5821, 5869, 40 Stat. 559, as amended, ch. 210, 55 Stat. 252; 22 U. S. C., and Sup. 223, 225, 226.

**§ 175.21 Definitions.** For the purposes of §§ 175.21 to 175.32:

(a) The term "United States" includes the States, the District of Columbia, Alaska, the Canal Zone, the Philippine Islands, so long as they are subject

to the jurisdiction of the United States, Hawaii, Puerto Rico, the Virgin Islands, Guam, American Samoa, and all territory and waters subject to the jurisdiction of the United States.

(b) The term "continental United States" means the territory of the several States, the District of Columbia, and Alaska.

(c) The term "depart from the United States" means the act of departure by land, sea, or air (1) from the United States to any foreign port or place except Canada, or (2) from one geographical part of the United States to a separate geographical part, except to or from Alaska. The term "geographical part" means any of the following: The States, including the District of Columbia, the Canal Zone, the Philippine Islands, so long as they are under the jurisdiction of the United States, Hawaii, Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(d) The term "seaman" means any alien whose occupation or calling as such is bona fide, and who is employed in any capacity on board any vessel departing from the United States.

(e) The term "airman" includes any alien pilot, navigator, aviator, or other alien person employed on any aircraft.

(f) The term "departure-control officer" means any employee of the Immigration and Naturalization Service assigned to supervise the departure of aliens from the United States, or any persons assigned by the chief executive officers of the Canal Zone, Guam, or American Samoa to such duties in those territories, or any person designated by the United States High Commissioner to the Philippine Islands after consultation with the military and naval authorities of the United States and the Government of the Commonwealth of the Philippines.

(g) The term "permit-issuing authority" means the Secretary of State, or an officer designated by him, the chief executive officer of Alaska, of Hawaii, of Puerto Rico, of the Virgin Islands, of the Canal Zone, of Guam, or of American Samoa, or the United States High Commissioner to the Philippine Islands acting in consultation with the military and naval authorities of the United States in the Philippine Islands and with the Government of the Commonwealth of the Philippines.

(h) The term "passport" means a passport, or official document in the nature of a passport, issued by the government of the country to which an alien owes allegiance, or other travel document showing his origin and identity, prescribed in regulations issued by the Secretary of State.

(i) The term "permit to depart" for aliens means a copy of the application for a permit to depart, as described hereinafter in §§ 175.21 to 175.32, inclusive, duly executed by the alien, approved, and appropriately endorsed by or on behalf of the Secretary of State, or such modification hereof as may be prescribed.

(j) The term "port of departure" means a port in continental United States, the Virgin Islands, Puerto Rico, or Hawaii designated as a port of entry

## RULES AND REGULATIONS

by the Attorney General or by the Commissioner of Immigration and Naturalization, or in exceptional circumstances such other place as the departure-control officer may, in his discretion, designate in an individual case, or a port in Guam, American Samoa, or the Panama Canal Zone designated by the chief executive officer thereof, or any port in the Philippine Islands designated by the permit-issuing authority therein.

(k) The term "alien" means a person who does not owe permanent allegiance to the United States. It does not include a citizen of the United States, nor does it include a citizen of the islands under the jurisdiction of the United States, including a citizen of the Philippine Islands so long as the Philippine Islands remain under the sovereign jurisdiction of the United States.

**§ 175.22 Permits to depart required.** No alien shall hereafter depart from the United States except at a port of departure and unless there has been issued in accordance with §§ 175.21 to 175.32, inclusive, a valid permit to depart, or he is exempted under §§ 175.21 to 175.32, inclusive, from obtaining a permit to depart.

**§ 175.23 Aliens exempted from obtaining permits to depart.** Aliens of the following classes shall not be required to obtain permits to depart:

(a) All aliens (except seamen, members of armed forces, German nationals, and Japanese persons of any foreign nationality (departing from the United States to any destination other than Germany, Italy, or Austria while those countries are occupied by the armed forces of one or more of the allied countries, the China-Burma theater of military operations or occupation by forces of the United States, or any place within an area of military or naval operations or occupation by forces of the United States in the Pacific Ocean.

(b) An alien not otherwise exempt from obtaining a permit to depart, who is an accredited or recognized diplomatic, consular, or other officer of a foreign government, a member of his family, or his attendant, servant, and employee, who presents an exit visa obtained from the Chief or Acting Chief of the Visa Division of the Department of State in lieu of a permit to depart. An exit visa shall be subject to verification in the discretion of the departure-control officer at the port of departure, if he has reason to question the authenticity of such exit visa.

(c) Aliens who are nationals of China, and who depart from the United States directly to China or through the necessary countries en route, with military permits so long as such permits are required.

(d) Aliens departing as seamen on vessels or to join vessels: *Provided*, That:

(1) They submit a passport, unless the seaman is stateless, or unless such document is waived by the Secretary of State;

(2) Where departure is from a port in the continental United States, Hawaii, Puerto Rico, or the Virgin Islands, an alien registration-receipt card must be presented in the cases of aliens who are

subject to registration and fingerprinting;

(3) They present an unexpired Coast Guard identification card, or other evidence of having been examined for security by the Coast Guard, unless such card or evidence is waived by the Coast Guard; and

(4) All alien seamen who depart from the United States shall comply with all other laws and regulations and meet such additional requirements as may be prescribed by the Commissioner of Immigration and Naturalization, or the appropriate permit-issuing authorities in the Canal Zone, Guam, American Samoa, or the Commonwealth of the Philippines.

(e) Aliens being deported from the United States to any foreign country, except an alien being deported without a military permit to an area of military or naval operations or occupation by forces of the United States.

(f) Aliens who are members of the armed forces of the United States, who are departing from the United States under orders of a competent authority (except that permits to depart shall be required in the cases of aliens who have only leave orders, and who are not lawful permanent residents of the United States), and aliens of the armed forces of foreign countries, who are departing from the United States under orders (including leave orders) of a competent authority.

(g) Alien children under 14 years of age.

**§ 175.24 Refusal of permission to depart.** No permit to depart, exit visa, border-crossing identification card, reentry permit, preexamination border-crossing identification card, or other document facilitating departure, or authorization of voluntary departure in lieu of deportation, shall be issued to an alien if the issuing authority has any reason to believe that the departure will be prejudicial to the interests of the United States.

**§ 175.25 Classes of aliens not entitled to depart.** The departure of an alien who is within one or more of the following categories shall be deemed to be prejudicial to the interests of the United States for the purposes of §§ 175.21 to 175.32, inclusive:

(a) Any alien who is in possession of, and in whose case there is evidence that he is likely to disclose to unauthorized persons, information concerning the plans, preparations, equipment, or establishments for the national defense of, or the prosecution of the war by, the United States or any of its Allies.

(b) Any alien departing from the United States for the purpose of engaging in, or who is likely to engage in, activities designed or likely to obstruct, impede, retard, delay, or counteract the effectiveness of the national defense of the United States or the measures adopted by the United States in the public interest or for the defense of any other country.

(c) Any alien departing from the United States for the purpose of engaging in, or who is likely to engage in, activities which would obstruct, impede, retard, delay, or counteract the effective-

ness of any plans made or steps taken by any country cooperating with the United States in the prosecution of the war.

(d) Any alien departing from the United States for any country for the purpose of organizing or directing, in or from such country, any rebellion, insurrection, or violent uprising in or against the United States, or of waging war against the United States, or of destroying sources of supplies or material vital to the national defense of the United States, or to the effectiveness of the measures adopted by the United States for the defense of any other country.

(e) Any alien who is a fugitive from justice on account of any offense punishable in the United States.

(f) Any alien whose presence in the United States is needed as a witness in, or as a party to, any criminal case pending in a court or which is under official investigation: *Provided*, That any alien who is a witness in, or party to, a criminal-court proceeding may be permitted to depart with the consent of the appropriate prosecuting authority, unless such alien is otherwise prohibited from departing under §§ 175.21 to 175.32, inclusive.

(g) Any alien who is registered, or who is subject to registration, for training or service in the armed forces of the United States, and who shall not have obtained the consent of his local draft board or an appropriate officer of the Selective Service System to depart from the United States.

**§ 175.26 Departure from the Canal Zone.** The departure of aliens from the Canal Zone shall be in accordance with the provisions of §§ 175.21 to 175.32, inclusive, and such regulations as may be prescribed by the permit-issuing authority in the Canal Zone.

**§ 175.27 Departure from the Philippine Islands.** The departure of aliens from the Philippine Islands shall be in accordance with the provisions of §§ 175.21 to 175.32, inclusive, and such regulations as may be prescribed by the permit-issuing authority in the Philippine Islands.

**§ 175.28 Authority to make additional regulations.** The permit-issuing authorities in the Canal Zone and in the Philippine Islands may prescribe, with the concurrence of the Secretary of State and the Attorney General, additional regulations regarding the departure of aliens from the Canal Zone and from the Philippine Islands, respectively, and such regulations may include such additional requirements, exemptions, and exceptions to the regulations prescribed by the Secretary of State, with the concurrence of the Attorney General, as the permit-issuing authorities in the Canal Zone and the Philippine Islands may deem to be appropriate.

**§ 175.29 Departure not permitted in special cases.** (a) Any departure-control officer or other authorized official in any individual case may require any alien, or person he believes to be an alien, departing or attempting to depart, even if such person has a permit to de-

part or is exempted under §§ 175.21 to 175.32, inclusive, from obtaining a permit to depart, to reply to interrogatories and to submit for official inspection all documents, articles, or other things which are being removed from the United States upon, or in connection with, such person's departure.

(b) Any departure-control officer or other authorized official shall temporarily prevent the departure of any person of the class mentioned in the preceding paragraph if such person refuses to answer interrogatories or to submit to such official inspection, or if the officer or official believes the departure of such person would, under §§ 175.21 to 175.32, inclusive, be prejudicial to the interests of the United States, or if directed by the Secretary of State or the Attorney General to prevent such departure. In every such case the officer or other official preventing departure shall temporarily take possession of any travel document presented by the alien. Such action shall be reported immediately by the departure-control officer to the head of his department with a full statement of the facts.

(c) Upon the receipt of a report as contemplated by the preceding paragraph the Department head shall, if he considers that the departure of the alien would not be prejudicial to the interests of the United States, consult the Secretary of State. In such circumstances an individual so temporarily prohibited from departing shall not be permitted to depart and shall not be entitled to the benefits of any exemptions or limitations hereinbefore provided, unless the Secretary of State is satisfied that the departure of such person would not be prejudicial to the interests of the United States.

**§ 175.30 Departure permitted in special cases.** (a) Notwithstanding the provisions of §§ 175.21 to 175.32, inclusive, the Secretary of State may, in his discretion, authorize the issuance of a permit to depart to any alien, or may allow any alien to depart without such permit if he deems such action to be in the interests of the United States: *Provided*, That any such authorization which may be applicable to aliens of a particular class shall be concurred in by the Attorney General.

(b) Any departure-control officer may grant any airman emergency permission to depart, but in all such cases a copy of the airman's application shall be forwarded immediately to the appropriate permit-issuing authority or to the Secretary of State. Such emergency permission shall not be granted unless the departure-control officer is satisfied that such departure would not endanger the public safety or be prejudicial to the interests of the United States.

**§ 175.31 Applications for permits to depart.** Any alien in whose case a permit to depart is required, desiring to depart from the United States, shall apply to the Secretary of State, or to such officer as may be designated, for a permit to depart from the United States as follows:

(a) Blank application forms for permits to depart may be obtained from the Visa Division, Department of State,

Washington, D. C., or from an office of the Immigration and Naturalization Service, or from a permit-issuing authority in the outlying possessions of the United States. Applications should be mailed at least 30 days before the date of intended departure in order that any delay in departure may be avoided: *Provided*, That alien members of the armed forces of the United States departing on authorized leave must make application to do so, which may be in the form of a letter addressed to the Chief of the Exit Permit Unit, Visa Division, Department of State, Washington, D. C., containing the applicant's name and a statement of his nationality, date and place of birth, date and place of last entry into the United States, last residence address in civilian life, alien registration number, and date and port of intended departure, together with a letter from his commanding officer approving leave for the purpose indicated.

(b) Applications for permits to depart from the continental United States, excepting Alaska, shall be made to the Secretary of State, as provided in §§ 175.21 to 175.32, inclusive. Applications for permits to depart shall be made upon form AD-1 or such other form as may be prescribed by the permit-issuing authority and executed strictly in accordance with the instructions issued therewith.

(c) Any alien who departs, or attempts to depart, from the United States without complying with §§ 175.21 to 175.32, inclusive, may be subjected to the penalties provided in the act of May 22, 1918, as amended by the act of June 21, 1941.

(d) If the application for permission to depart is approved the applicant will be notified, and one copy of the application, appropriately endorsed, which shall thereupon become the permit to depart, will be forwarded to the appropriate departure-control officer at the port or place from which the applicant has stated in his application that he intends to depart. In the cases of members of the armed forces of the United States, who make application in accordance with the proviso in paragraph (a) of this section, the notification sent to the applicant shall, upon its surrender to the departure-control officer, constitute the permit to depart. Upon the applicant's personal appearance before such departure-control officer, indicated in the notification to the applicant, and upon identification of such applicant by the departure-control officer, to whom the applicant shall surrender the notification received, the departure-control officer may permit such applicant to depart from the United States and shall verify such departure. The departure-control officer shall thereupon place a notation or certification on the permit concerning the alien's departure and forward such permit, together with the notification surrendered by the alien, to the Secretary of State, Washington, D. C. Under no circumstances should an alien be permitted to take such permit out of the United States or to have such permit in his possession while in the United States.

(e) A permit to depart shall be revocable at any time before departure of

the alien in whose case such permit shall have been granted. The Secretary of State reserves the power to revoke a permit which has been issued by any permit-issuing authority.

(f) No permit to depart from the United States shall be construed as a permit to enter any place in the United States.

**§ 175.32 Effective date.** Sections 175.21 to 175.32, inclusive, shall become effective on December 27, 1945, and shall supersede the regulations prescribed by the Secretary of State on April 9, 1945, concurred in by the Attorney General on May 19, 1945, and issued on May 22, 1945, to become effective on June 1, 1945 (10 F. R. 5889-93).

#### ALIENS ENTERING

**AUTHORITY:** §§ 175.41 to 175.63, inclusive, issued under Proc. 2523, Nov. 14, 1941, 6 F. R. 5821, 5869; 40 Stat. 559; 41 Stat. 1217; ch. 210, 55 Stat. 252; 43 Stat. 153, 166, as amended; sec. 30, 54 Stat. 673; 22 U. S. C. and Sup. 223, 225-227; 8 U. S. C. 201-229, 451; E. O. 4049, July 14, 1924, E. O. 8766, June 3, 1941, E. O. 9352, June 15, 1943, 6 F. R. 2741, 8 F. R. 8209.

**§ 175.41 Definitions.** For the purposes of §§ 175.41 to 175.63:

(a) The term "United States" means the States, the District of Columbia, Alaska, the Canal Zone, the Philippine Islands, Hawaii, Puerto Rico, the Virgin Islands, Guam, American Samoa, and all territory and waters, continental or insular, subject to the jurisdiction of the United States.

(b) The term "continental United States" means the territory of the several States, the District of Columbia, and Alaska.

(c) The term "mainland" means the States and the District of Columbia.

(d) The term "Western Hemisphere" means North, Central, and South America, and the islands immediately adjacent thereto, including Bermuda, the Bahamas, the West Indies, and the Leeward and Windward Islands.

(e) The term "outlying possession" means any territory or islands under the jurisdiction of the United States outside of the continental United States, but does not include the Canal Zone.

(f) The term "foreign contiguous territory" means Mexico or Canada.

(g) The term "passport" means a passport or an official document in the nature of a passport issued by the government of a country to which an alien owes allegiance, or other travel document showing his origin and identity, prescribed in regulations issued by the Secretary of State.

(h) The term "permit to enter" means an immigration visa, a reentry permit, a passport visa, a transit certificate, a limited-entry certificate, a border-crossing identification card, or a crew-list visa, issued by a permit-issuing authority.

(i) The term "permit-issuing authority" means a diplomatic, consular, or other officer of the United States authorized to issue immigration visas, passport visas, crew-list visas, transit certificates, limited-entry certificates, or nonresident aliens' border-crossing identification cards, or an officer of the Immigration and Naturalization Service authorized to

## RULES AND REGULATIONS

issue reentry permits, or aliens' border-crossing identification cards.

(j) The term "entry into the United States" means any entry by land, water, or air from any place outside of the United States into any place included within the United States or from any outlying possession of the United States into the continental United States or from the continental United States into any outlying possession, or from one outlying possession into another, or from the Canal Zone into the continental United States or an outlying possession, or into the Canal Zone from any place in the United States.

(k) The term "seaman" means any alien whose occupation or calling as such is bona fide, and who is employed in any capacity on board any vessel arriving in the United States from any place outside of the United States.

(l) The term "airman" means any alien pilot, navigator, aviator, or other alien person operating or employed on any aircraft.

(m) The term "port of entry" means a port in the continental United States, the Virgin Islands, Puerto Rico, or Hawaii designated as a port of entry by the Attorney General or the Commissioner of Immigration and Naturalization, or such a port in the Canal Zone, Guam, American Samoa, or any outlying possession of the United States, as may be designated by the Governor thereof.

(n) The term "alien" means an individual who is not a native-born or naturalized citizen of the United States, but this definition shall not be held to include citizens of the islands under the jurisdiction of the United States, except citizens of the Philippine Islands who, in accordance with the provisions of the act of March 24, 1934, are to be considered as if they were aliens for the purposes of the laws relating to the immigration, exclusion, and expulsion of aliens, unless they are citizens of the United States.

(o) The term "alien enemy" means an alien defined as such or contemplated by any proclamation of the President after December 1, 1941, or an alien who, if admitted into the United States, would be an alien enemy under any such proclamation. The term generally includes aliens who are natives, denizens, citizens, or subjects of countries with which the United States is at war.

(p) The term "enemy national" means an alien who is a citizen or subject of any country with which the United States is at war, or an alien who owes allegiance to such country.

(q) The term "an alien who is a lawful permanent resident of the United States" means an alien who has been lawfully admitted into the continental United States, the Virgin Islands, Puerto Rico, or Hawaii for permanent residence therein and who has since such admission maintained his domicile in the United States: *Provided*, That this term shall not include Philippine citizens residing in Hawaii, who are not citizens of the United States, who entered Hawaii without an immigration visa, unless such Philippine citizens are declared to be nonquota immigrants under section 4 of

the act other than subdivisions (c) and (e) thereof.

§ 175.42 *Passports and permits to enter required.* No alien shall hereafter enter the United States (a) except at a port of entry and (b) unless he presents an unexpired passport and a valid permit to enter, or is exempted under §§ 175.41 to 175.63, inclusive, from presenting such documents.

§ 175.43 *Passports and permits to enter not guarantees of admission.* No alien who is inadmissible into the United States under the provisions of the immigration laws and regulations, or other laws and regulations, including §§ 175.41 to 175.63, inclusive, shall be admitted into the United States even if he is in possession of an unexpired passport and valid permit to enter.

§ 175.44 *Immigrants not required to present passports and permits to enter.* Immigrants of the following classes are not required to present passports and permits to enter, inasmuch as the requirements thereof are waived in the following emergency cases:

(a) An alien child born subsequent to the issuance of the immigration visa of an accompanying parent, the visa not having expired.

(b) An alien child born during the temporary visit abroad of an alien mother who is a lawful permanent resident of the United States, provided the child is accompanying a parent who is admissible into the United States and who is entering the United States for permanent residence upon the first return of the parent to the United States after the child's birth, and application is made for admission into the United States within a period of two years after the date of the child's birth.

(c) An alien child born during the temporary visit abroad of a mother who is an American citizen or national, provided the child is accompanying a parent who is admissible into the United States and who is entering the United States for permanent residence upon the first return of the parent to the United States after the child's birth and application is made for admission into the United States within a period of two years after the date of the child's birth.

(d) An alien who is a lawful permanent resident of the United States who goes in transit through foreign contiguous territory from one part of the continental United States to another by means of a transportation line which runs through the territory or waters of both the United States and Canada or Mexico.

(e) An alien who is a lawful permanent resident of the United States, and who is proceeding from the continental United States to an outlying possession, or from an outlying possession to the mainland, or from one outlying possession to another, or from one port in the continental United States to another, without stop-over, although touching at a foreign port.

(f) An alien who is a lawful permanent resident of the United States, and who reenters from a journey beginning

in a port of the United States in the Western Hemisphere without transshipment from the original vessel to another vessel, such vessel not having proceeded outside of the Western Hemisphere.

(g) An alien who is a lawful permanent resident of the United States, who is returning from a visit not exceeding 30 days to foreign contiguous territory only, and who, because of an emergency such as one involving serious illness or death, had no opportunity to obtain a reentry permit, or a resident alien's border-crossing identification card prior to departure from the United States.

(h) An alien member of the armed forces of the United States, who is a lawful permanent resident of the United States, provided the alien is in the uniform of, or bears documents showing his identity as a member of, such armed forces.

(i) An alien member of the armed forces of a country at war with Japan, who is a lawful permanent resident of the United States, and who is returning under orders or on furlough during the period of the war.

(j) An alien who is a citizen or subject of a foreign country at war with Japan, who is a lawful permanent resident of the United States, who departed from the United States for foreign contiguous territory for the purpose of joining the armed forces of the country of which he is a citizen or subject, and who is returning to the United States within a period of six months of his departure and within 30 days of rejection for service in such armed forces.

(k) An alien who is a citizen or subject of a foreign country at war with Japan, who is a lawful permanent resident of the United States, who has been honorably discharged from the armed forces of the country of which he is a citizen or subject, and who is returning to the United States within 90 days of his discharge or of his release from military hospitalization.

(l) An alien who is employed as a civilian pilot or as a member of other flight personnel, who is a lawful permanent resident of the United States, and who is returning to the United States while engaged in airplane-ferrying operations or ferrying personnel or material between the United States and territory abroad in behalf of the armed forces of the United States or of a foreign country at war with Japan, or within 90 days after the termination of such employment.

(m) An alien who is a lawful permanent resident of the Virgin Islands and who is returning thereto after a temporary visit to the British Virgin Islands or the French island of St. Bartholomew.

(n) An alien who is a lawful permanent resident of the United States, who is returning to the United States on an official exchange vessel, who is included in the exchange of persons with the enemy, and who had no opportunity to obtain an immigration visa: *Provided*, That the alien is found to be otherwise admissible by the Immigration and Naturalization Service.

(o) An alien who is a lawful permanent resident of the United States, who

resides in a remote section of Alaska, and who is returning to Alaska after a temporary visit to Canada.

(p) An American Indian born in Canada and recognized as such under Canadian law, except one whose membership in Indian tribes or families is created by adoption.

**§ 175.45 Immigrants required to present passports but not permits to enter.** Aliens who are lawful permanent residents of the United States, and who fall within the following categories are exempt from the requirement of presenting permits to enter, inasmuch as the requirement thereof is waived, but must present passports:

(a) An alien seaman or airman whose name appears on the crew list of the vessel or aircraft on which he arrives: *Provided*, That this paragraph shall not apply to Great Lakes seamen, for whom waivers are provided in § 175.46 (b).

(b) An alien, occupationally a seaman, who is returning in accordance with the terms of the articles of outward voyage, or the terms of his discharge before a consular officer of the United States.

(c) A shipwrecked or castaway alien, occupationally a seaman or airman: *Provided*, That a passport will not be required for the first entry if he has lost his passport.

**§ 175.46 Immigrants required to present permits to enter but not passports.** Immigrants of the following classes who present a permit to enter are not required to present a passport, inasmuch as the requirement thereof is waived:

(a) An alien who is a lawful permanent resident of the United States, and who presents a valid reentry permit.

(b) An alien who is a lawful permanent resident of the United States, who is returning after a temporary absence in Canada or Mexico only, and who presents a valid resident alien's border-crossing identification card, including such an alien who is employed as a member of the crew of a vessel of United States, British, or Canadian registry engaged solely in traffic on the Great Lakes and connecting waterways.

**§ 175.47 Immigrants not required to present passports or permits to enter in special cases.** (a) An alien who previously has been admitted lawfully into the United States as a student on the basis of a nonquota immigration visa issued under section 4 (e) of the Immigration Act of 1924, who has proceeded only to Canada or Mexico, who is returning to the United States within a period of three months, and who is reentering under section 4 (e) for the purpose of continuing his or her studies at an approved institution of learning, is exempt from the requirement of presenting a new section 4 (e) visa. Such an alien must present a letter from the institution stating that he or she is a student in good standing at the institution. If the alien presents a passport it should bear a notation made by the immigrant inspector, or in the absence of a passport the alien should be in possession of other evidence to the effect that he or she was previously admitted lawfully into the

United States as a nonquota immigrant student.

(b) Any alien immigrant whose case is considered by the Attorney General to be within the provisions of section 13 (b) of the Immigration Act of 1924, and which the Secretary of State considers to be emergent and grants a waiver of the requirement of presenting a permit to enter, is exempted from the requirement of presenting such document.

(c) Any alien immigrant whose case is considered by the Secretary of State to be emergent and in which he grants a waiver of the requirement of presenting a passport, is exempted from the requirement of presenting such document.

**§ 175.48 Nonimmigrants not required to present passports and permits to enter.** The following classes of nonimmigrants are not required to present passports and permits to enter, inasmuch as the requirements thereof are waived in the following emergency cases:

(a) A Canadian railway-mail clerk who is entering the continental United States from Canada in connection with his official duties, provided he carries documents identifying him as such.

(b) An alien who resides in an isolated or remote section of Canada, who is entering the continental United States temporarily from Canada as a visitor or in transit to another part of Canada, and who is unable without undue inconvenience to obtain a passport and a visa.

(c) A member of the staff of the International Fisheries Commission and the International Pacific Salmon Fisheries Commission, who is entering the continental United States temporarily from Canada or Newfoundland in connection with the performance of his official duties, provided he carries a document bearing a photograph and identifying him as a member of the staff of such a Commission.

(d) An alien who is a citizen of Mexico, and (1) who is an officer or employee of the International Boundary and Water Commission, and is entering the continental United States temporarily from Mexico in connection with his official duties, or (2) who is employed directly or indirectly on the construction, maintenance, and operation of works in the United States undertaken in accordance with the treaty concluded on February 3, 1944, between the United States and Mexico, and is entering the continental United States temporarily from Mexico in connection with such employment.

(e) An immigration or customs officer of the Mexican Government who is entering the continental United States temporarily from Mexico in the performance of his official duties.

(f) An employee of the Mexican Postal Service assigned to a border area, who is entering the continental United States temporarily from Mexico in the performance of his official duties, and who has credentials establishing his identity and defining his official duties in the region of the border.

(g) An alien who is a member of a fire-fighting group entering the continental United States temporarily from foreign contiguous territory for fire-fighting activities.

(h) An alien who is a member of the Plant Protection Division of the Canadian Department of Agriculture, and who is entering the continental United States temporarily from Canada in connection with his official duties.

(i) An alien who is an official or an operational or maintenance-of-way employee of a railroad or bus line operating across the Canadian or Mexican border, who enters the continental United States temporarily from foreign contiguous territory in pursuance of his duties.

(j) An alien who is a member of the military or naval personnel serving in that capacity on a merchant vessel or a vessel of war, owned or operated by the United States or by the government of a foreign country at war with Japan.

(k) An alien who is a member of the armed forces of the United States, who is in the uniform of, or who bears documents identifying him as a member of, such armed forces, who is not a lawful permanent resident of the United States, and who is included in a military unit which is returning to the United States under orders.

(l) An alien (1) who is in the uniform of, or who bears documents identifying him as a member of, the armed forces of a foreign country having territory or possessions in the Western Hemisphere or of an American republic other than the United States, and (2) whose travel is authorized by the appropriate authorities of the armed forces of which the alien is a member, and (3) who is entering the United States in transit or temporarily to engage in official duties or with authorized leave to visit the United States: *Provided*, That the country, of whose armed forces he is a member, is at war with Japan: *And provided further*, That such country grants reciprocal privileges to members of the armed forces of the United States. In the case of a group of such aliens entering the United States appropriate advance arrangements for their reception and entry must be made with the military and naval authorities of the United States.

(m) An alien who is a civilian member, regardless of nationality, of the British Royal Air Force Transport Command, who is entering the United States temporarily or in transit to a foreign destination, provided he is traveling under orders of the British Royal Air Force Transport Command and is in possession of documents acceptable to the officers of the Immigration and Naturalization Service establishing the identity of the individual beyond a reasonable doubt.

(n) An alien who is lawfully in the United States as a nonimmigrant, who is proceeding from the mainland to an outlying possession, or from an outlying possession to the mainland, or from one outlying possession to another, or from one port in the continental United States to another, without stop-over, although touching at a foreign port.

(o) A nonimmigrant alien child born subsequent to the issuance of the permit to enter of an accompanying parent, the permit not having expired.

(p) An alien who is a resident of remote Pacific Islands, and who, after arrival at a port of entry in Hawaii or on the mainland, is found to be a bona fide

## RULES AND REGULATIONS

temporary visitor under section 3 (2) of the Immigration Act of 1924, or a bona fide transient under section 3 (3) of the act.

(q) An alien who is a Canadian national, who is occupationally a seaman, and who is sent forward as a passenger to join a vessel in a port of the United States, provided he presents a valid seaman's identity certificate issued by an appropriate Canadian Government agency.

(r) An alien who is a native-born resident of a country within the Western Hemisphere, who is entering the United States temporarily to engage, or to continue, in seasonal or temporary employment under the terms of legislation or of any satisfactory arrangement between appropriate agencies of the United States (including the Department of State) and of any such country, and who complies with any additional requirements prescribed by the Attorney General.

(s) A person presenting a certificate of identity issued by a consular officer of the United States under the provisions of section 503 of the Nationality Act of 1940 and the regulations issued thereunder (see 22 CFR 19.19-19.29).

(t) An alien who is arriving on an official exchange vessel, who is included in an exchange of persons with the enemy, and who has had no opportunity to obtain a passport or a permit to enter: *Provided*, That the alien is found to be otherwise admissible by the Immigration and Naturalization Service.

(u) An alien who is a national of a United Nations country, and who is arriving as a passenger or member of the crew on a ship which has been diverted at sea to a port in the United States, having been destined originally to a foreign port.

(v) An alien who is a British subject domiciled in the British Virgin Islands or in the British Islands of Anguilla, St. Kitts, and Nevis; a French citizen domiciled in the French island of St. Bartholomew or in the French portion of the island of St. Martin; or a Netherlands subject domiciled in the Netherlands islands of St. Eustatius or Saba, or in the Netherlands portion of the island of St. Martin; and who is seeking admission into the Virgin Islands for business or pleasure for a period of less than 30 days on any one visit.

(w) An alien who is a British subject domiciled, permanently residing, or stationed in Canada, who is entering the United States temporarily across the Canadian border on a visit of less than 30 days for business or pleasure, and who has assurance of admission to Canada or some other country: *Provided*, That this paragraph shall not apply to Great Lakes seamen for whom waivers are provided in § 175.50 (c) or to Canadian citizens for whom waivers are provided in paragraph (gg) of this section.

(x) An alien who arrived at a seaport in Canada and who is passing in direct transit by continuous journey through the United States to a destination in Canada by means of a transportation line which runs through the territory or waters of both countries.

(y) An alien who is proceeding in continuous travel from Paterson, British Columbia, to Cascade, British Columbia.

(z) An alien who is a resident of foreign contiguous territory, and who is entering the United States from such territory for less than 30 days in a case of emergency, such as one involving serious illness or death, the alien having no opportunity to obtain a permit to enter, but having assurance of readmission into foreign contiguous territory.

(aa) An alien who is a resident of contiguous territory, who passes from the territory of which he is a resident in continuous transit through a part of the continental United States back to the territory of which he is a resident by means of a transportation line which crosses the international boundary.

(bb) An alien who is a member of the Mexican Air Force, who is traveling on duty in a civilian airplane arriving in the continental United States from Mexico, and who presents properly authenticated military orders and an individual identification card.

(cc) An alien who is a member of the armed forces of Mexico, who arrives in the continental United States to take charge of aircraft being provided the Mexican Government under lend-lease arrangements, and who is in possession of a suitable document of identity as such, provided appropriate arrangements have been made with the military authorities of the United States for the delivery of such aircraft.

(dd) An alien who is a member of the armed forces of a foreign country at war with Japan, who is stationed in the continental United States, and who is returning from a temporary visit to foreign contiguous territory.

(ee) An airman or a passenger on an aircraft proceeding from one place to another in foreign contiguous territory and landing temporarily in the United States under emergency conditions.

(ff) A shipwrecked or castaway alien, occupationally a seaman or airman, rescued by, or transferred at sea to, a vessel bound for a port in the United States.

(gg) An alien who is a Canadian citizen and who is entering the United States temporarily across the Canadian border on a visit of less than six months for business or pleasure: *Provided*, That this paragraph shall not apply to Great Lakes seamen for whom waivers are provided in § 175.50 (c).

**§ 175.49 Nonimmigrants required to present passports but not permits to enter.** Nonimmigrants of the following classes are required to present passports but are not required to present permits to enter, inasmuch as the requirement thereof is waived:

(a) An alien seaman, who is entering temporarily in pursuit of his calling as such, and who is a member of the crew of a vessel arriving from a port at which there is no consular officer of the United States, the master of the vessel having been unable to obtain a crew-list visa from a nearby consular officer without undue delay of the vessel's departure.

(b) An alien seaman, who is employed as such on a vessel operating on a regular service between a port in Florida and Habana, Cuba, and who is entering the continental United States temporarily at

a port in Florida in pursuit of his calling, is exempt from the crew-list visa requirements, except that a new crew-list visa must be presented (1) to cover the first trip each month of each such vessel and (2) to cover any additional seaman who is signed on as a member of the crew during the month.

(c) An alien seaman, who is employed as a member of the crew of a vessel sailing between ports of the United States and ports of Canada or Newfoundland and not touching at a port of any other country, and who is entering the United States temporarily in pursuit of his calling: *Provided*, That this paragraph shall not apply to Great Lakes seamen for whom waivers are provided in § 175.50 (c).

(d) An alien who is a Mexican military or civilian official, and an alien who is an accompanying member of the family or of the accompanying suite of such official, who is entering the United States temporarily from Mexico for personal business or pleasure.

(e) An alien who is a citizen of Newfoundland domiciled therein or in Canada, who is proceeding to the continental United States for a period of less than 30 days for personal business or pleasure.

(f) An alien who has been admitted lawfully into the United States as a nonimmigrant, and who goes in continuous transit from one part of the continental United States to another through foreign contiguous territory.

(g) An alien, occupationally a seaman, who is seeking temporary admission as a passenger or workaway, solely in pursuit of his occupation or calling as a seaman, if arriving in the United States under the following circumstances:

(1) As a member of the crew of an American vessel which has been sold and delivered abroad, when the contract of employment provides for the return of the crew, or when the laws of the United States provide for their return to a port in the United States; or

(2) As a United States consular passenger or an alien who is repatriated after, and in accordance with the terms of, his discharge in a foreign port before a consular officer of the United States.

(h) An alien who is a shipwrecked or castaway seaman or airman of a United Nations vessel or aircraft, who was taken aboard a vessel or aircraft in a foreign port or place where no consular officer of the United States was stationed, and who is brought to the United States as a passenger without touching at a port or place where such an officer was stationed: *Provided*, That such a seaman or airman must agree to reship foreign or depart from the United States at the first available opportunity: *And provided further*, That if there is no representative of the country of the alien's nationality in the port or place where he is taken aboard, a passport or other travel document will not be required for the first entry of the alien into the United States.

**§ 175.50 Nonimmigrants required to present permits to enter but not passports.** Nonimmigrants of the following classes are required to present permits

to enter but not passports, inasmuch as the requirement thereof is waived:

(a) An alien seaman, who has lost his passport, who is unable to obtain a replacement thereof, who is arriving on an American vessel or an American-owned Panamanian or Honduran flag vessel, and who presents a Coast Guard identification card or other evidence of having been examined for security by the United States Coast Guard: *Provided*, That this waiver of the passport requirements shall be valid only for a single entry of such alien after the loss of his passport.

(b) An alien who is a resident of foreign contiguous territory and in whose case a permit to enter and a passport are required under these regulations may present, in lieu of a passport, any document which is valid for the bearer's departure from and return to foreign contiguous territory.

(c) An alien who is a member of the crew of a vessel of United States, British, or Canadian registry engaged solely in traffic on the Great Lakes and connecting waterways, who is entering the United States temporarily as a seaman: *Provided*, That the permit to enter presented by such alien consists of a valid nonresident alien's border-crossing identification card.

§ 175.51 *Nonimmigrants not required to present passports or permits to enter in special cases.* Any nonimmigrant aliens whose cases are considered by the Secretary of State to be emergent and in whose cases the Secretary of State grants a waiver of the requirement of presenting a passport or a permit to enter, or both, shall thereupon be exempted from the requirement of presenting such a document.

§ 175.52 *Refusal of permission to enter.* (a) No permit to enter shall be issued to any alien if the permit-issuing authority has reason to believe that the entry of the alien would be prejudicial to the interests of the United States.

(b) The permit-issuing authority shall report the refusal of a permit to enter under the preceding paragraph to the head of his department. If a permit to enter is refused by an officer of the Immigration and Naturalization Service of the Department of Justice on the ground that he has reason to believe that the entry of the alien would be prejudicial to the interests of the United States, the Attorney General may, after consultation with the Secretary of State, authorize issuance of the permit to enter if he is satisfied that the entry of the alien would not be prejudicial to the interests of the United States. If a permit to enter is refused by any other officer of the United States authorized to issue documents constituting permits to enter under §§ 175.41 to 175.63, inclusive, the Secretary of State, or an official designated by him, may authorize the issuance of a permit to enter if he is satisfied that the entry of the alien will not be prejudicial to the interests of the United States. The report of a refusal of a permit to enter under the preceding paragraph made to the head of a department other than the Secretary of State shall be communicated to the Secretary of State.

§ 175.53 *Classes of aliens whose entry is deemed to be prejudicial to the public interest.* The entry of an alien who is within one of the following categories shall be deemed to be prejudicial to the interests of the United States for the purposes of §§ 175.41 to 175.63, inclusive:

(a) Any alien who belongs to one of the classes specified in the act of October 16, 1918, as amended. (40 Stat. 1012; 41 Stat. 1008-9; 54 Stat. 673; 8 U. S. C. 137)

(b) Any alien who is a member of, affiliated with, or may be active in the United States in connection with or on behalf of, a political organization associated with or carrying out policies of any foreign government opposed to the measures adopted by the Government of the United States in the public interest, or in the interest of national defense, or in the interest of the common defense of the countries of the Western Hemisphere, or in the prosecution of the war.

(c) Any alien in possession of, or seeking to procure, unauthorized secret information concerning the plans, preparations, equipment, or establishments for the national defense of, or the prosecution of the war by, the United States.

(d) Any alien engaged in activities designed to obstruct, impede, retard, delay, or counteract the effectiveness of the measures adopted by the Government of the United States for the defense of the United States or for the defense of any other country, or the prosecution of the war.

(e) Any alien engaged in activities designed to obstruct, impede, retard, delay, or counteract the effectiveness of any plans made or steps taken by any country of the Western Hemisphere in the interest of the common defense of the countries of such Hemisphere.

(f) Any alien engaged in organizing, teaching, advocating, or directing any rebellion, insurrection, or violent uprising against the United States.

(g) Any alien engaged in a plot or plan to destroy materials, or sources thereof, vital to the defense of, or the prosecution of the war by, the United States, or to the effectiveness of the measures adopted by the United States for the defense of any other country.

(h) Any alien whose admission would endanger the public safety, as provided in any Executive order issued in pursuance of the act of Congress approved June 20, 1941 (ch. 209, 55 Stat. 252; 22 U. S. C., Sup., 228, 229).

(i) Any alien enemy: *Provided*, That this excluding provision shall not apply to aliens who

(1) Present valid permits to enter issued on or after November 14, 1941, or are exempted under these regulations from presenting permits to enter and are found to be otherwise admissible under §§ 175.41 to 175.63, inclusive; or

(2) Before September 1, 1939, became and still are citizens or subjects of any foreign country at war with Japan and who have not, since September 1, 1939, and before May 8, 1945, returned to any enemy or enemy-controlled territory; or

(3) Are under 14 years of age; or

(4) Are excepted from the excluding provisions of this subsection in the dis-

cretion of the permit-issuing authority or of the Secretary of State.

(j) Any alien found to be, or charged with being, a war criminal by the appropriate authorities of the United States or one of its co-belligerents, or an alien who has been guilty of, or who has advocated or acquiesced in activities or conduct contrary to civilization and human decency on behalf of the Axis countries during the present World War.

(k) Any alien who is not within one or more of the classes defined in paragraphs (a) to (j), inclusive, but in whose case circumstances of a similar character may be found to exist, which render the alien's admission prejudicial to the interests of the United States, which it was the purpose of the act of June 21, 1941 (55 Stat. 252) to safeguard.

§ 175.54 *Aliens leaving close relatives in certain foreign countries.* The fact that a spouse, or a relative of the first degree of consanguinity, with whom an applicant has maintained close family ties, remains abroad in any country, or in territory under the direct or indirect control of any country, the government of which is found by the Secretary of State to have adopted measures or policies contrary to the measures or policies adopted by the Government of the United States in the interest of national or international security, may be considered with other evidence in determining whether such applicant may be granted a permit to enter or whether the entry of such applicant should be denied upon the ground that the applicant is within one or more of the categories set forth in § 175.53.

§ 175.55 *Permission to enter the Canal Zone, Guam, American Samoa, and the Philippine Islands.* In addition to the classes of aliens prohibited from entering the United States under the provisions of this chapter, the chief executive officers of the Canal Zone, Guam, American Samoa, and the Philippine Islands are authorized to prescribe, with the approval of the Secretary of State and the Attorney General, additional prohibited classes for the areas under their jurisdiction, and such officers are authorized to issue under the same conditions such regulations as they may deem to be necessary to carry out the provisions of this chapter, including any modifications of a substantive or procedural character.

**CROSS REFERENCE:** For regulations relating to the control of aliens entering the Canal Zone, issued by the Governor of the Panama Canal, approved by the Secretary of State and by the Attorney General, see Title 35, Part 30, 11 F. R. 1046.

§ 175.56 *Aliens traveling through areas of military operations or occupation.* In addition to all other applicable restrictions and requirements, in the case of an alien who desires to proceed to the United States and who intends to proceed thereafter to or through any area designated as an area of active military operations or occupation, application shall be made for any military permit required for travel to or through such area. Such application must be approved before a permit to enter is granted.

## RULES AND REGULATIONS

**§ 175.57 Entry not permitted in special cases.** (a) Any alien, even though in possession of a permit to enter, or exempted under §§ 175.41 to 175.63, inclusive, from obtaining a permit to enter, may be excluded temporarily if at the time he applies for admission at a port of entry it appears that he is or may be excludable under one of the categories set forth in § 175.53. The official excluding the alien shall immediately report the facts to the head of his department, who will communicate such report to the Secretary of State. Any alien so temporarily excluded by an official of the Department of Justice shall not be admitted and shall be excluded and deported unless the Attorney General, after consultation with the Secretary of State, is satisfied that the admission of the alien would not be prejudicial to the interests of the United States. Any alien so temporarily excluded by any other official shall not be admitted and shall be excluded and deported unless the Secretary of State is satisfied that the admission of the alien would not be prejudicial to the interests of the United States.

(b) In the case of an alien temporarily excluded by an official of the Department of Justice on the ground that he is, or may be excludable under one or more of the categories set forth in § 175.53, no hearing by a board of special inquiry shall be held until after the case is reported to the Attorney General and such a hearing is directed by the Attorney General or his representative. In any special case the alien may be denied a hearing before a board of special inquiry and an appeal from the decision of that board if the Attorney General determines that he is excludable under one of the categories set forth in § 175.53 on the basis of information of a confidential nature, the disclosure of which would be prejudicial to the public interest.

**§ 175.58 Additional requirements for officials of foreign governments.** In addition to all other requirements, any official, employee, or agent of a foreign government proceeding to the United States for permanent residence, or temporarily as a tourist, or on personal business or for pleasure, or proceeding through the United States to a foreign destination, must disclose in connection with his application for any required permit to enter, and in connection with his application for admission at a port of entry, his official governmental position, status, or connection. Failure to disclose his official position, status, or connection in making such application, or in obtaining a permit to enter, or obtaining entry by false or fraudulent statements, shall be punishable as a breach of §§ 175.41 to 175.63, inclusive.

**§ 175.60 Procedure for issuance of permits to enter.** Application for a document which is a permit to enter under §§ 175.41 to 175.63, inclusive, shall be made as provided by the rules and regulations applicable to the issuance of such a document and in accordance with the additional requirements provided in §§ 175.41 to 175.63, inclusive. With the exceptions specified in § 175.61 a permit-issuing authority may issue or refuse a permit to enter upon his own responsibility without requesting the Secretary of State to issue an advisory opinion or instruction recommending the issuance or refusal of the permit.

ity without requesting the Secretary of State to issue an advisory opinion or instruction recommending the issuance or refusal of the permit.

**§ 175.61 Cases requiring advisory opinions.** Aliens who are found by a permit-issuing authority to be ineligible to receive permits to enter may be refused such permits without an advisory opinion from the Secretary of State. No permit to enter shall be issued by a permit-issuing authority on the application of an alien without submitting such application to the Secretary of State (officers of the Immigration and Naturalization Service will refer applicable cases to the Attorney General) for an advisory opinion as provided in §§ 175.60 and 175.62, if the alien falls within one of the following classes:

(a) An alien in whose case the permit-issuing authority considers that there is sufficient doubt to require an advisory opinion as to whether the alien's admission into the United States would be prejudicial to the interests of the United States.

(b) An alien seaman who is applying for an immigration visa as a permit to enter. (Alien seamen whose names are included on a crew list submitted for visa should be considered in accordance with the regulations governing the issuance of crew-list visas.)

(c) An alien who at the time of his departure from the United States was a lawful permanent resident thereof, who departed without a reentry permit, who proceeded to a country outside of the Western Hemisphere, and who is applying for any kind of a permit to enter.

(d) An alien in whose case the permit-issuing authority knows or has reason to believe that an unfavorable opinion was previously formulated by the Secretary of State.

(e) An alien who (1) is coming to the United States as an official or employee of a foreign government, or who is a member of the family, an attendant, a servant, or an employee of a foreign government official, and who (2) is applying for an immigration visa as a permit to enter.

(f) An alien who at the time of his entry into the United States will be a member of the armed forces of a foreign country in whose case a permit to enter is required, and who is applying for an immigration visa as a permit to enter.

(g) An alien in whose case it appears that a permit to enter may be refused because of the applicant's inadmissibility under the general immigration laws, but in whose case there is sufficient doubt to warrant a request for an advisory opinion.

(h) An alien who is applying for a diplomatic or an official visa as a permit to enter as a nonimmigrant under section 3 (1), 3 (2), or 3 (3) of the Immigration Act of 1924, and who has an official status under the government of a country other than (1) an American Republic and (2) the government of a country with which the Department of State has concluded a reciprocal arrangement for the granting or refusal of such permits to enter without specific authorization in each individual case.

(i) An alien who was previously interned in the United States.

(j) An alien in whose case the Secretary of State shall have issued special instructions to the permit-issuing authority to request an advisory opinion.

**§ 175.62 Procedure in obtaining advisory opinions.** In requesting an advisory opinion from the Secretary of State, a permit-issuing authority shall furnish such information and follow such procedure as may be required by the Secretary of State from time to time.

**§ 175.63 Effective date.** Sections 175.41 to 175.63, inclusive, shall be considered as having become effective on the first day of the month of July 1945, and shall supersede the regulations issued on November 19, 1941, as amended (former §§ 175.41-175.58) and the regulations contained in 22 CFR 58.101-58.136.

#### PART 176—DOCUMENTARY REQUIREMENTS FOR ALIENS, EXCEPT SEAMEN AND AIRMEN, ENTERING THE UNITED STATES

Sec.	
176.101	Definitions.
176.106	Documentary requirements for nonimmigrants.
176.107	Nonimmigrants not required to present passports or visas.
176.108	Nonimmigrants required to present passports but not visas.
176.109	Nonimmigrants required to present visas or nonresident alien's border-crossing identification cards but not passports.
176.201	Documentary requirements for immigrants.
176.202	Immigrants not required to present passports or visas.
176.203	Immigrants required to present passports but not visas.
176.500	Required period of validity of passports.

**AUTHORITY:** §§ 176.101 to 176.203, inclusive, issued under Reorganization Plan No. V (5 F. R. 2223), E. O. 4049, July 14, 1924; E. O. 6166, June 10, 1933; E. O. 8766, June 3, 1941; E. O. 9352, June 15, 1943; Procs. 2283, April 28, 1938; 2523, November 14, 1941; 2603, February 8, 1944; 38 Stat. 874-879, 892-897; 40 Stat. 559, 1012-1013; 41 Stat. 981, 1008-9, 1217; 43 Stat. 153-169, 976; 44 Stat. 657, 812; 45 Stat. 401, 1009, 1551; 46 Stat. 41, 854; 47 Stat. 67, 166, 336, 607-8, 656; 48 Stat. 456, 462-3, 926; 50 Stat. 164; 53 Stat. 561, 1230, 1243; 54 Stat. 306, 673-6, 711, 1137, 1147, 1151-2, 1172-1173; 55 Stat. 252; 57 Stat. 600; 58 Stat. 746; 5 U. S. C. 133; 8 U. S. C. 101-02, 136-173, 177, 180, 201-226a, 231, 451, 452, 458, 459, 501, 717, 718, 728; 18 U. S. C. 469; 22 U. S. C. 223-226.

§ 176.500 issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 327, 54 Stat. 1150; 8 U. S. C. 102, 222, 458, 727; sec. 1, Reorg. Plan No. V (3 CFR, Cum. Supp., ch. IV); 8 CFR, 90.1; E. O. 8766, June 3, 1941, as amended by Pres. Proc. 2523, November 14, 1941; E. O. 9352, June 15, 1943 (6 F. R. 2741, 5821, 8 F. R. 8209).

**NOTE:** §§ 176.101, 176.106-176.109, and 176.201-176.203 are identical with sections having the same decimal numbers in 22 CFR Part 61, entitled "Visas: documentary requirements for aliens entering the United States," which part was recommended by the Attorney General insofar as the provisions of the Immigration Act of 1924 and the Alien Registration Act, 1940, are concerned.

**CROSS REFERENCES:** For "Visas, diplomatic: regulations," see 22 CFR Part 60.

For "Visas: documents required of alien seamen and airmen entering the United States," see 8 CFR Part 177.

For "Control of persons entering and leaving the United States pursuant to the act of May 22, 1918, as amended," see 8 CFR Part 175, the provisions of which are in addition to the provisions of 8 CFR Part 176 during such emergency period as the provisions of 8 CFR Part 175 shall remain in effect.

**§ 176.101 Definitions.** As used in this part, the term:

(a) "The act" means the Immigration Act approved May 26, 1924, as amended.

(b) "Alien" means an individual who is not a citizen of the United States by birth or naturalization, but this definition shall not be held to include nationals of the United States or citizens of the islands under the jurisdiction of the United States, except citizens of the Philippine Islands, who, in accordance with the provisions of the act of March 24, 1934, are to be considered as if they were aliens for the purposes of the laws relating to the immigration, exclusion, and expulsion of aliens, unless they are citizens of the United States.

(c) "Immigrant" means an alien who is not classifiable within any of the nonimmigrant categories mentioned in section 3 of the act.

(d) "Nonimmigrant" means an alien who is classifiable within one or more of the categories mentioned in section 3 of the act.

(e) "Passport" means a document of identity and nationality issued by the appropriate authorities of a recognized foreign government to which the bearer owes allegiance, identifying the bearer and stating his nationality or, in the case of an alien unable to obtain such document, a travel document in the nature of a passport issued by a duly authorized official and showing the bearer's identity and nationality.

(f) "Passport visa" means a stamp which includes the word "Seen", placed by a consular officer on an alien's passport or other appropriate document, showing that the bearer is entitled to proceed to a port of entry in the United States to apply for admission in a status specified in the passport visa. The term "nonimmigrant visa" is also used synonymously with the term "passport visa".

(g) "Immigration visa" includes the original copy of the application for such visa and the visa, properly prepared, approved, signed, and lawfully issued in accordance with the regulations in 22 CFR 61.101 to 61.408, inclusive, by a duly authorized consular officer.

(h) "Consular officer" means an officer of the Foreign Service of the United States acting in a consular capacity (except a consular agent), the Executive Secretary of the Panama Canal, and the Governors of Guam and American Samoa, designated under the authority contained in the act and the regulations in 22 CFR 61.101 to 61.408, inclusive, to issue immigration visas or to grant passport visas or other documents to nonimmigrants.

(i) "Transit certificate" means a stamp placed upon an alien's passport or other appropriate document showing that the bearer has been found to be entitled to proceed to the United States

to apply for admission as a nonimmigrant in transit to a foreign destination.

(j) "Limited-entry certificate" means a stamp placed upon an alien's passport or other appropriate document showing that the bearer has been found to be entitled to proceed to the United States to apply for a limited entry.

(k) "Nonresident alien's border-crossing identification card" means a card issued to aliens in certain categories residing in Canada or Mexico showing that the bearer has been found to be entitled to apply for admission into the United States as a nonimmigrant.

(l) "Port of entry" means a port of place designated by the Attorney General or the Commissioner of Immigration and Naturalization at which aliens may apply for admission into the United States.

(m) "United States" means the States, the District of Columbia, Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

(n) "Lawful permanent resident of the United States" means an alien who has been lawfully admitted into the continental United States, the Virgin Islands, Puerto Rico, or Hawaii for permanent residence therein, and who has since such admission maintained his domicile in the United States: *Provided*, That this term shall not include Philippine citizens residing in Hawaii who are not citizens of the United States, who entered Hawaii without an immigration visa, unless such Philippine citizens are declared to be nonquota immigrants under section 4 of the act (other than subdivisions (c) and (e) thereof).

(o) "Chinese person" means a person having as much as one-half Chinese blood and not as much as one-half blood of a race or races ineligible to naturalization.

(p) "Attempts to enter" means the action taken by an alien to obtain the documents, including a visa, necessary to apply for admission into the United States. It includes an application for admission.

(q) "Application for admission" means an application for admission at a port of entry.

(r) "Wife" and "husband" do not include a wife or husband by a proxy or picture marriage when used with reference to the documentary requirements and classification of immigrants.

(s) "Child," "father," and "mother" do not, when used in reference to the documentary requirements and classification of immigrants under the act, include a child or parent by adoption on or after January 1, 1924, or a stepchild, or a stepparent.

(t) "Unmarried" means not married at the time the visa is issued or granted to the alien concerned, regardless of whether the alien was previously married.

(u) "Immigration laws" means the act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens.

(v) "Diplomatic visa" means a visa granted under the regulations contained in 22 CFR 60.1 et seq.

(w) "American citizen" and "citizen of the United States" are regarded as synonymous.

(x) "Removed," when used with reference to an alien, means an alien who has

been removed from the United States at the expense of the Federal Government, as provided in section 23 of the Immigration Act of February 5, 1917, as amended.

(y) "Western Hemisphere" means North, Central, and South America, and the islands immediately adjacent thereto, including Bermuda, the Bahamas, the West Indies, and the Leeward and Windward Islands.

**NOTE:** The terms defined in the foregoing section appear in 22 CFR 61.101 et seq. and to a lesser extent in this part.

**§ 176.106 Documentary requirements for nonimmigrants.** With the exceptions hereinafter provided, a nonimmigrant must present an unexpired passport, and a nonimmigrant seeking to enter the United States under section 3 (1), 3 (2), 3 (3), or 3 (6) of the act must also present a passport visa, unless he is a nonimmigrant who may be issued, and who presents, a limited-entry certificate, a transit certificate or visa, or a nonresident alien's border-crossing identification card.

**§ 176.107 Nonimmigrants not required to present passports or visas.** The passport, passport visa, limited entry certificate, transit certificate or visa, and nonresident alien's border-crossing identification card requirements are waived for nonimmigrants of the following emergency classes:

(a) A national of a contiguous country who passes from the country of which he is a national in continuous transit through the United States back to the country of which he is a national, by means of a transportation line which runs through the territory or waters of both countries.

(b) A nonimmigrant alien child born subsequent to the issuance of the passport visa of an accompanying parent the visa not having expired.

(c) A Canadian railway-mail clerk entering from Canada in connection with his official duties, provided he carries a document identifying him as such.

(d) An alien who resides in an isolated or remote section of Canada, who is entering the United States temporarily from Canada as a visitor or as a transient, and who is unable without undue inconvenience to obtain a passport and a visa.

(e) A member of the staff of the International Fisheries Commission or of the International Pacific Salmon Fisheries Commission, who is entering the United States temporarily from Canada in connection with the performance of his official duties, provided he carries a document bearing his photograph and identifying him as a member of the staff of the Commission.

(f) An officer or employee of the International Boundary Commission, who is a citizen of Canada or Mexico and who is entering the United States temporarily from Canada or Mexico in connection with his official duties.

(g) An immigration or customs officer of the Canadian or Mexican Government who is entering the United States temporarily from Canada or Mexico in the performance of his official duties.

(h) An employee of the Mexican Postal Service assigned to border areas,

## RULES AND REGULATIONS

who is entering the United States temporarily from Mexico in the performance of his official duties and who has credentials establishing his identity and his official duties in the region of the border.

(i) A member of a fire-fighting group entering the United States temporarily from foreign contiguous territory for fire-fighting activities.

(j) A member of the Plant Protection Division of the Canadian Department of Agriculture, who is entering the United States temporarily from Canada in connection with his official duties.

(k) A Canadian law-enforcement officer who is entering the United States temporarily from Canada in connection with his official duties.

(l) An official or an operational or maintenance-of-way employee of a railroad or bus line operating across the Canadian or Mexican border, who enters the United States temporarily from Canada or Mexico in pursuance of his duties.

(m) An alien lawfully admitted into the United States as a nonimmigrant, who is proceeding from the mainland to an insular possession or territory, or from an insular possession or territory to the mainland, or from one insular possession or territory to another, or from one mainland port to another, without stop-over, although touching at a foreign port.

(n) A resident of remote Pacific islands, who, after arrival at a port of entry in Hawaii or on the mainland, is found to be a bona fide temporary visitor under section 3 (2) of the act, or a bona fide transient under section 3 (3) of the act.

(o) A person presenting a certificate of identity issued by an American consular officer under the provisions of section 503 of the Nationality Act of 1940 and the regulations issued thereunder. (See 22 CFR 19.18-19.29.)

(p) A British subject domiciled in the British Virgin Islands or in the British islands of Anguilla, St. Kitts, or Nevis; a French citizen domiciled in the French island of St. Bartholomew or in the French portion of the island of St. Martin; or a Netherlands subject domiciled in the Netherlands islands of St. Eustatius or Saba, or in the Netherlands portion of the island of St. Martin; who is seeking admission into the Virgin Islands for business or pleasure for a period of less than 30 days on any one visit.

(q) An alien who is a British subject domiciled, permanently residing, or stationed in Canada, who is entering the United States temporarily across the Canadian border on a visit of less than 30 days for business or pleasure, and who has assurance of admission into Canada or some other country: *Provided*, That this paragraph shall not apply to Great Lakes seamen for whom waivers are provided in § 176.109 (b) or to Canadian citizens for whom waivers are provided in paragraph (w) of this section.

(r) An alien who arrives at a port in Canada and who is passing in direct transit by continuous journey through the United States to a destination in Canada by means of a transportation line

which runs through the territory or waters of both countries.

(s) An alien proceeding in continuous travel from Paterson, British Columbia, to Cascade, British Columbia.

(t) An alien who is a resident of foreign contiguous territory and who is entering the United States from such territory for less than 30 days in a case of emergency, such as one involving serious illness or death, the alien having no opportunity to obtain consular documentation but having assurance of readmission into foreign contiguous territory.

(u) An airman or a passenger on an aircraft proceeding from one place to another in foreign contiguous territory and landing temporarily in the United States under emergency conditions.

(v) A person who claims to be a citizen of the United States and who is applying for admission under the conditions stated in 22 CFR 61.103 (c).

(w) An alien who is a Canadian citizen and who is entering the United States temporarily across the Canadian border on a visit of less than six months for business or pleasure: *Provided*, That this paragraph shall not apply to Great Lakes seamen for whom waivers are provided in § 176.109 (b).

§ 176.108 *Nonimmigrants required to present passports but not visas.* The passport visa requirements are waived for nonimmigrants of the following emergency classes, but they must present passports:

(a) A Mexican military or civilian official, and a member of his family, or of his suite, who is entering the United States temporarily from Mexico for personal business or pleasure.

(b) A citizen of Newfoundland, domiciled therein or in Canada, who is proceeding to the United States for a period of less than 30 days for personal business or pleasure.

(c) An alien who has been lawfully admitted into the United States as a nonimmigrant and who goes in continuous transit from one part of the United States to another through foreign contiguous territory.

§ 176.109 *Nonimmigrants required to present visas or nonresident alien's border-crossing identification cards but not passports.* The passport requirements are waived for nonimmigrants in the following classes, but such aliens must present valid passport visas or valid nonresident alien's border-crossing identification cards:

(a) A citizen of a country contiguous to the United States in whose case a visa or other nonimmigrant documentation is required may present, in lieu of a valid passport, any document of identity or nationality previously used or usable for entry into the United States, provided such document is valid for the bearer's return to the country of his nationality. In such a case the nonimmigrant visa should be stamped upon Form 257a, which has a space provided for that purpose, and the words "provided passport continues to be valid" should be deleted from the visa. A notation regarding the granting of the visa may, if found to be feasible, be placed on the document

used in lieu of a valid passport to identify the bearer.

(b) An alien who is a member of the crew of a vessel of United States, British, or Canadian registry engaged solely in traffic on the Great Lakes and connecting waterways, who is entering the United States temporarily as a seaman, provided that the permit to enter presented by such alien consists of a valid nonresident alien's border-crossing identification card.

§ 176.201 *Documentary requirements for immigrants.* Except as hereinafter provided, an immigrant entering the United States must present a valid, unexpired passport and a valid individual immigration visa, quota or nonquota, issued in accordance with the requirements of the act and in accordance with the regulations in 22 CFR 61.101 to 61.408, inclusive.

§ 176.202 *Immigrants not required to present passports or visas.* Immigrants in the following emergency cases are not required to present passports or visas, inasmuch as the requirement thereof is hereby waived:

(a) An alien immigrant child born subsequent to the issuance of an immigration visa to an accompanying parent, the visa not having expired.

(b) An alien immigrant child born during the temporary visit abroad of an alien mother who is a lawful permanent resident of the United States: *Provided*, That the child is accompanying a parent who is admissible into the United States and who is entering the United States for permanent residence upon the first return of the parent to the United States after the child's birth: *And provided further*, That application is made for admission into the United States within a period of two years of the child's birth.

(c) An alien immigrant child born during the temporary visit abroad of a mother who is an American citizen or national: *Provided*, That the child is accompanying a parent who is admissible into the United States and who is entering the United States for permanent residence upon the first return of the parent to the United States after the child's birth: *And provided further*, That application is made for admission into the United States within a period of two years of the child's birth.

(d) An alien who is a lawful permanent resident of the United States, who is returning after a temporary absence in Canada or Mexico only, and who presents a valid resident alien's border-crossing identification card, including such an alien who is employed as a member of the crew of a vessel of United States, British, or Canadian registry engaged solely in traffic on the Great Lakes and connecting waterways.

(e) An alien who is a lawful permanent resident of the United States, who is returning from a temporary visit abroad, and who presents an unexpired permit to reenter issued pursuant to section 10 of the act.

(f) An alien who is a lawful permanent resident of the United States who goes in transit through foreign contiguous territory from one part of the con-

tinental United States to another by means of a transportation line which runs through the territory or waters of both the United States and Canada or Mexico.

(g) An alien who is a lawful permanent resident of the United States, and who is proceeding from the continental United States to an outlying possession, or from an outlying possession to the mainland, or from one outlying possession to another, or from one port in the continental United States to another, without stop-over, although touching at a foreign port.

(h) An alien who is a lawful permanent resident of the United States, and who reenters from a journey beginning in a port of the United States in the Western Hemisphere without transshipment from the original vessel to another vessel, such vessel not having proceeded outside of the Western Hemisphere.

(i) An alien who is a lawful permanent resident of the United States, who is returning from a visit not exceeding 30 days to foreign contiguous territory only, and who, because of an emergency such as one involving serious illness or death, had no opportunity to obtain a reentry permit or a resident alien's border-crossing identification card prior to departure from the United States.

(j) An alien member of the armed forces of the United States who is a lawful permanent resident of the United States, provided he is in uniform or bears documentation identifying him as a member of the armed forces.

(k) An alien member of the armed forces of a country at war with Japan, who is a lawful permanent resident of the United States, and who is returning under orders or on furlough during the period of the war.

(l) An alien who is a citizen or subject of a foreign country at war with Japan, who is a lawful permanent resident of the United States, who departed from the United States for foreign contiguous territory for the purpose of joining the armed forces of the country of which he is a citizen or subject, and who is returning to the United States within a period of six months of his departure and within 30 days of rejection for service in such armed forces.

(m) An alien who is a citizen or subject of a foreign country at war with Japan, who is a lawful permanent resident of the United States, who has been honorably discharged from the armed forces of the country of which he is a citizen or subject, and who is returning to the United States within 90 days of his discharge or of his release from military hospitalization.

(n) An alien who is employed as a civilian pilot or as a member of other flight personnel, who is a lawful permanent resident of the United States, and who is returning to the United States while engaged in airplane-ferrying operations or ferrying personnel or material between the United States and territory abroad in behalf of the armed forces of the United States or of a foreign country at war with Japan, or within 90 days after the termination of such employment.

(o) An alien who is a lawful permanent resident of the Virgin Islands returning

after a temporary visit to the British Virgin Islands or the French island of St. Bartholomew.

(p) An alien who is a lawful permanent resident of the United States, who resides in a remote section of Alaska, and who is returning after a temporary visit to Canada.

(q) An American Indian born in Canada and recognized as such under Canadian law, except one whose membership in Indian tribes or families is created by adoption.

**§ 176.203 Immigrants required to present passports but not visas.** Aliens who are lawful permanent residents of the United States and who fall within the following emergency cases must present passports or identifying travel documents in the nature thereof but are not required to present visas, inasmuch as the requirement thereof is hereby waived:

(a) An alien seaman or airman whose name appears on the crew list of the vessel or aircraft on which he arrives: *Provided*, That this paragraph shall not apply to Great Lakes seamen, for whom waivers are otherwise provided.

(b) An alien, occupationally a seaman, who is returning in accordance with the terms of the articles of outward voyage, or the terms of his discharge before a consular officer of the United States.

(c) A shipwrecked or castaway alien, occupationally a seaman or airman (in this case a passport will not be required for the first entry if the alien has lost his passport).

(d) An alien who previously has been admitted lawfully into the United States as a student on the basis of a nonquota immigration visa issued under section 4 (e) of the Immigration Act of 1924, who has proceeded only to Canada or Mexico, who is returning to the United States within a period of four months, and who is reentering under section 4 (e) for the purpose of continuing his or her studies at an approved institution of learning (in such a case the alien is exempt from the requirement of presenting a new section 4 (e) visa). Such an alien must present a letter from the institution stating that he or she is a student in good standing at the institution. If the alien presents a passport it should bear a notation made by the immigrant inspector, or in the absence of a passport the alien should be in possession of other evidence to the effect that he or she was previously admitted lawfully into the United States as a nonquota immigrant student.

**§ 176.500 Required period of validity of passports—(a) Passports valid beyond period of admission.** Where under the provisions of this part or chapter an alien entering the United States is required to present an unexpired passport as that term is defined in § 176.101 (e) and such requirement has not been waived, the alien, if in any of the following classes, shall not be admitted for a period of time extending beyond a date 60 days prior to the end of the period during which his passport is valid for his return abroad or for his entry into some foreign country:

(1) An attendant, servant, or employee admitted under section 3 (1) of the act.

(2) A visitor admitted under section 3 (2) of the act.

(3) An alien admitted in transit under section 3 (3) of the act.

(4) An attendant, servant, or employee of a representative to, or of an officer or of an employee of, an international organization, admitted under section 3 (7) of the act.

(5) A student admitted under section 4 (e) of the act.

(b) *Passports valid at time of admission only.* Where under the provisions of this part or chapter an alien entering the United States is required to present an unexpired passport as that term is defined in § 176.101 (e) and such requirement has not been waived and the alien is not in any of the classes listed in paragraph (a) of this section, the passport need be valid and unexpired only through the date of the bearer's application for admission to the United States at a port of entry.

**CROSS REFERENCE:** For consular regulations on "Required validity of passports or travel documents of temporary visitors, transit aliens, and nonquota students," see 22 CFR 61.379.

#### PART 177—VISAS: DOCUMENTS REQUIRED OF ALIEN SEAMEN AND AIRMEN ENTERING THE UNITED STATES

##### Sec.

177.51	Definitions.
177.52	Passports and visas required.
177.53	Exemptions, immigrant (resident) seamen or airmen.
177.54	Exemptions, nonimmigrant (nonresident) seamen or airmen.
177.55	Crew-list visas required.
177.56	Crew-list visas not required.
177.57	Refusal of crew-list visa.
177.58	Crew-list form.
177.59	Preparation of crew lists.
177.60	Form of crew-list visa.
177.61	Disposition of crew lists.
177.62	Effective date.

**AUTHORITY:** §§ 177.51 to 177.62, inclusive, issued under Reorganization Plan V (3 CFR, Cum. Supp., 1304); E. O. 4049, July 14, 1924; E. O. 8766, June 3, 1941; E. O. 9352, June 15, 1943; Proc. 2523, Nov. 14, 1941; 39 Stat. 874-879, 892-897; 40 Stat. 559, 1012-1013; 41 Stat. 981, 1008-9, 1217; 43 Stat. 153-169, 976; 45 Stat. 1551; 46 Stat. 41; 47 Stat. 67; 48 Stat. 456, 462-3; 50 Stat. 164; 53 Stat. 561; 54 Stat. 673-6, 1137, 1151-1152; 5 U. S. C. 133; 8 U. S. C. 101-2, 136-173, 180, 201-226, 451, 452, 458, 459, 501; 22 U. S. C. 223-226, 227; 48 U. S. C. 1232, 1238.

**§ 177.51 Definitions.** For the purposes of §§ 177.51 to 177.61, inclusive, the term:

(a) "The act" means the Immigration Act, approved May 26, 1924, as amended.

(b) "Alien" means an individual who is not a native-born or naturalized citizen of the United States, but this definition shall not be held to include citizens of the islands under the jurisdiction of the United States.

(c) "Immigrant" means an alien who is not classifiable within any of the nonimmigrant categories mentioned in section 3 of the act.

(d) "Nonimmigrant" means an alien who is classifiable within one or more of the categories mentioned in section 3 of the act.

## RULES AND REGULATIONS

(e) "Seaman" or "airman" means any alien whose occupation or calling as such is bona fide, and who is employed in any capacity on board any vessel or aircraft arriving in the United States from any place outside of the United States.

(f) "Passport" means a document of identity and nationality issued by the appropriate authorities of a recognized foreign government to which the bearer owes allegiance, identifying the bearer and stating his nationality or, in the case of an alien unable to obtain such a document, a travel document in the nature of a passport issued by a duly authorized official and showing the bearer's identity and nationality.

(g) "Crew-list visa" means the stamp and notations placed by a consular officer on a list of seamen or airmen who are members of the crew of a vessel or aircraft proceeding to the United States.

(h) "Consular officer" means an officer of the Foreign Service of the United States (except a consular agent), authorized to act in a consular capacity at a diplomatic or consular office, the Executive Secretary of the Panama Canal or a shipping commissioner in the Canal Zone, the Governors of Guam and American Samoa, or such officers subordinate to them as they may authorize to issue crew-list visas.

(i) "Nonresident alien's border-crossing identification card" means a card issued to an alien, who is a native-born or naturalized citizen of Canada domiciled or residing therein, or a British subject domiciled or residing in Canada, showing that the bearer has been found to be entitled to apply for admission into the United States as an immigrant.

(j) "Resident alien's border-crossing identification card" means a card issued to an alien, who is a lawful permanent resident of the United States, showing that the bearer has been found to be entitled to apply for admission into the United States, as an immigrant.

(k) "An alien who is a lawful permanent resident of the United States" means an alien who has been lawfully admitted into the continental United States, the Virgin Islands, Puerto Rico, or Hawaii for permanent residence therein, and who has since such admission maintained his domicile in the United States: *Provided*, That this term shall not include Philippine citizens residing in Hawaii, who are not citizens of the United States, who entered Hawaii without an immigration visa, unless such Philippine citizens are declared to be nonquota immigrants under section 4 of the act, other than subdivisions (c) and (e) thereof.

(l) "Government vessel" or "government aircraft" means a vessel or aircraft owned and operated, or merely operated, directly by the Government of the United States in the public business with government personnel and not operated on a commercial or profit basis, or a foreign flag vessel or foreign aircraft owned and operated, or merely operated, directly by a recognized foreign government in its public business and by official personnel, and not operated for what would ordinarily be regarded as commercial purposes or for profit. This definition does not include vessels or air-

craft which are merely government-controlled or subsidized.

(m) "United States" means the States, the territories of Alaska and Hawaii, the District of Columbia, Puerto Rico, and the Virgin Islands.

(n) "Continental United States" means the territory of the several States, the District of Columbia, and Alaska.

§ 177.52 *Passports and visas required.* Before a seaman or an airman may be admitted into the United States for any purpose he must present a valid passport that is unexpired at the time of his admission and that bears his photograph, and a visa appropriate to his case, unless exempted from these requirements by the regulations in this part.

Exemptions from these requirements stated herein are under two headings: exemptions, immigrant (resident) seamen or airmen; and exemptions, nonimmigrant (nonresident) seamen or airmen.

§ 177.53 *Exemptions, immigrant (resident) seamen or airmen*—(a) *Passport and visa not required.* An alien seaman or airman who is a lawful permanent resident of the United States is not required to present a passport or a visa if arriving in the United States under the following circumstances:

(1) As a seaman or airman who is the holder of a resident alien's border-crossing identification card, and who is employed on vessels of United States, British, or Canadian registry, engaged solely in traffic on the Great Lakes and connecting waterways, or on aircraft traveling solely between the United States and Canada. (See § 176.202 (d) of this chapter.)

(2) As a passenger who is a shipwrecked or castaway seaman or airman rescued by, or transferred at sea to, a vessel or aircraft bound to a port in the United States.

(3) As a member of the crew of a vessel or aircraft who is in possession of a valid reentry permit.

(b) *Passport not required.* An alien seaman or airman who is a lawful permanent resident of the United States whose case does not fall within paragraph (a) of this section is not required to present a passport if arriving in the United States under the following circumstances:

(1) As a seaman or airman who has lost his passport, who is unable to obtain a replacement thereof, who is arriving as a member of the crew of a United States vessel or aircraft, or a United States-owned Panamanian flag vessel, and who presents evidence, when required, of having been examined for security by the United States Coast Guard: *Provided*, That this waiver of the passport requirement shall be valid only for a single entry of such seaman or airman, unless such waiver is extended by the Secretary of State.

(2) As a seaman or airman in whose case an individual waiver of the passport requirement has been granted by the Secretary of State, except that for a seaman or airman arriving at a port in the Virgin Islands, the Governor thereof may grant such waiver, and for a seaman or airman arriving at a port of the Canal Zone, the Governor thereof may grant

such waiver: *Provided*, That such waivers may be granted only in cases of hardship in which the public security is not jeopardized.

(c) *Visa not required.* An alien seaman or airman who is a lawful permanent resident of the United States whose case does not fall within paragraph (a) of this section is not required to present a visa if arriving in the United States on a vessel or aircraft under the following circumstances:

(1) As a seaman or airman whose name is included in the visaed crew list of the vessel or aircraft upon which he arrives.

(2) As a passenger who was a member of the crew of a United States vessel or aircraft which has been sold and delivered abroad when the contract of employment provides for the return of the crew or the laws of the United States provide for their return to a port in the United States.

(3) As a passenger who is returning to the United States in accordance with the terms of the articles of the vessel or aircraft on which he formerly served.

(4) As an alien (American) seaman who is a consular passenger, or is repatriated after and in accordance with the terms of his discharge in a foreign port before a consular officer, but who, for any reason, cannot be considered as serving as a seaman on the vessel on which he arrives at a port in the United States. (See § 176.203 (a), (b), and (c) of this chapter.)

§ 177.54 *Exemptions, nonimmigrant (nonresident) seamen or airmen*—(a) *Passports and visas not required.* An alien nonresident seaman or airman is not required to present a passport or a visa if arriving in the United States under the following circumstances:

(1) As an airman employed on an aircraft proceeding from one place to another in foreign contiguous territory and landing temporarily in the United States under emergency conditions. (See § 176.107 (u) of this chapter.)

(2) As a seaman or airman who is the holder of a nonresident alien's border-crossing identification card, and who is employed on vessels of United States, British, or Canadian registry, engaged solely in traffic on the Great Lakes and connecting waterways, or on aircraft traveling solely between the United States and Canada. (See § 176.109 (b) of this chapter.)

(b) *Passports not required.* A nonresident seaman or airman whose case does not fall within paragraph (a) of this section is not required to present a passport if arriving in the United States under the following circumstances:

(1) As a seaman or airman who has lost his passport, who is unable to obtain a replacement thereof, who is arriving in the United States as a member of the crew of a United States vessel or aircraft or a United States-owned Panamanian flag vessel, and who presents evidence, when required, of having been examined for security by the United States Coast Guard: *Provided*, That this waiver of the passport requirement shall be valid only for a single entry of such seaman or airman after the loss of his passport, unless

such waiver is extended by the Secretary of State.

(2) As a seaman or airman in whose case an individual waiver of the passport requirement has been granted by the Secretary of State, except that for a seaman or airman arriving at a port in the Virgin Islands, the Governor thereof may grant such waiver, and for a seaman or airman arriving at a port of the Canal Zone, the Governor thereof may grant such waiver: *Provided*, That such waivers may be granted only in cases of hardship in which the public security is not jeopardized.

(c) *Visas not required.* A nonresident seaman or airman whose occupational status as such is found to be bona fide, entering a port of the United States solely in pursuit of his calling, but as a passenger on a vessel or aircraft and not as a member of the crew of the vessel or aircraft on which he arrives, may be admitted temporarily as a nonimmigrant in the discretion of the Attorney General and under regulations prescribed by him. Such an alien must present a passport but not a visa, if he is arriving in the United States under the following circumstances:

(1) As a seaman or airman who was a member of the crew of an American vessel or aircraft, which has been sold and delivered abroad, when the contract of employment provides for the return of the crew or the laws of the United States provide for their return to an American port.

(2) As a seaman or airman who is returning to the United States in accordance with the terms of the articles of the outward voyage.

(3) As a shipwrecked or castaway seaman or airman rescued by, or transferred at sea to, a vessel or aircraft bound to a port in the United States. (In this case a passport will not be required for the first entry if the alien has lost his passport): *Provided*, That such a seaman or airman must agree to reship foreign or depart from the United States at the first available opportunity.

(4) As an alien (American) seaman who is a consular passenger, or is repatriated after, and in accordance with the terms of, his discharge in a foreign port before a consular officer, but who, for any reason, cannot be considered as serving as a seaman on the vessel on which he arrives at a port in the United States.

(5) As a shipwrecked or castaway seaman or airman, who was taken aboard a vessel or aircraft in a foreign port or place where no American consular officer was stationed, and who was brought to the United States as a passenger without touching at any port or place where such an officer was stationed: *Provided*, That such a seaman or airman must agree to reship foreign or depart from the United States at the first available opportunity.

(6) As a nonresident Canadian national, occupationally a seaman or airman, who is being sent forward to join a vessel or aircraft in a port of the United States, provided he presents a valid seamen's or airmen's identification certificate issued by an appropriate Canadian Government agency.

§ 177.55 *Crew-list visas required.* (a) Except as otherwise provided in the regulations in this part, there shall be submitted to an American consular officer for visa a list of all the alien members of the crew of each vessel or aircraft proceeding to the United States from any foreign port or place from which the vessel or aircraft commences its voyage to the United States. No seaman or airman shall hereafter enter the United States as a member of the crew of a vessel or aircraft unless his name appears on a visaed crew list, or unless he is in possession of an appropriate individual visa, except where the vessel or aircraft is exempted from the requirement of submitting a visaed crew list under this part.

(b) If there is no American consular officer stationed at the port or place from which the vessel or aircraft commences its voyage to the United States, but there is one stationed at a nearby port or place to whom the crew list may be submitted by mail, or by other means, for visa without delaying the departure of the vessel or aircraft, the crew list must be so submitted. If there is no American consular officer stationed nearby, the crew list must be submitted for visa at the first port or place of call where an American consular officer is stationed.

(c) A vessel or aircraft arriving at a port in the continental United States, Hawaii, Puerto Rico, or the Virgin Islands, after entering and clearing from a port or place in the Canal Zone for purposes other than transit, refueling, or landing passengers for medical treatment, shall be subject to all the crew-list visa requirements applicable to vessels or aircraft arriving in the United States from any foreign port or place.

(d) Supplemental crew-list visas should be obtained at subsequent ports or places of call to cover any additional seamen or airmen who have been signed on since the original or a prior supplemental crew-list visa was obtained.

(e) If one or more alien members of the crew are signed on after the crew list has been visaed and prior to the departure of the vessel or aircraft, the names of such aliens must be submitted to the consular officer for addition to the copies of the crew list.

§ 177.56 *Crew-list visas not required.* Crew-list visas are not required for the following classes of cases:

(a) Vessels or aircraft proceeding from a port or place where no American consular officer is stationed and it is not possible for such vessel or aircraft to comply with the conditions of § 177.55 (b).

(b) Government vessels or government aircraft.

(c) Vessels or aircraft operating between a port of the United States and a port of Canada or Newfoundland, and not touching at a port of any other country.

(d) Vessels or aircraft operating on a regular service exclusively between a port in Florida and Habana, Cuba, except that a new crew-list visa must be presented (1) to cover the first trip each month, and (2) at any other time during the month whenever a new crewman is signed on.

(e) A member of the crew of a vessel or aircraft who is in possession of an appropriate individual visa or a reentry permit.

(f) A member of the crew of a vessel or aircraft in whose individual case an emergency waiver of the crew-list visa requirements has been granted by the Secretary of State.

(g) A vessel or aircraft proceeding from one foreign place to another, which is diverted from its course under emergency conditions and enters a port of the United States, provided the crew-list visa requirement is waived by the Secretary of State.

§ 177.57 *Refusal of crew-list visa.* (a) If a consular officer has definite knowledge that a crew list contains the name of an alien who is not a seaman or airman, or whose admission into the United States would be contrary to the public safety, or who is endeavoring to enter the United States in evasion of the immigration laws, the crew-list visa shall be withheld until the name of such alien has been removed from the crew list of the vessel or aircraft, or until such alien, if admissible into the United States, shall have made application for and received an appropriate individual visa.

(b) If a consular officer has doubt as to the admissibility into the United States of an alien named in a crew list, but the evidence is not sufficient to warrant the refusal of a visa, he should advise the master, commanding officer, or agent of the vessel or aircraft that the admissibility of the seaman or airman into the United States is doubtful. If the name of the alien concerned is not removed from the crew list, the consular officer may grant the visa, telegraphing a report to the Department of State and including in such report the name of the suspected alien and the facts on which the doubt is based.

(c) When a crew-list visa is refused in any case, a full report should be forwarded by the consular officer to the Department of State in sufficient time to reach the United States before the arrival of the vessel or aircraft. The original of the crew list may be returned to the master, commanding officer, or agent, but the duplicate should be filed in the consular office.

(d) Unless there is specific evidence that a previously deported alien, or removed alien (that is, an alien previously removed from the United States under the authority and provisions of section 23 of the act of February 5, 1917, as amended), included in a crew list intends to leave the vessel or aircraft in evasion of the law, in a port or place under the jurisdiction of the United States, the crew-list visa should not be refused. However in the cases of seamen, a notation (preferably in red ink) of the fact of the previous deportation or removal should be placed in the remarks column of the crew list after the name of the deportee or removed alien, and in the cases of airmen such notation may be made in an appropriate place on the aircraft crew list. The master, commanding officer, or agent of the vessel or aircraft should be informed that such an alien may not be admitted by the immigration authorities after the vessel or aircraft arrives in the United States.

## RULES AND REGULATIONS

(e) If the fact of deportation or removal has been discovered after the crew list has been visaed and the crew list does not, therefore, carry an appropriate notation in the remarks column, the Department of State should be immediately informed by telegraph or air mail.

§ 177.58 *Crew-list form.* (a) Crew lists or manifests of aliens employed on vessels as members of the crew shall be prepared in duplicate on Department of Justice Form I-480, or such other form as the Department of Justice may prescribe. Masters or agents of vessels will ordinarily have a supply of crew-list forms, which they may purchase in the United States from collectors of customs, but consular offices having a possible demand for such forms will keep a supply on hand from which they may furnish copies in an emergency. Consular officers may obtain copies from the Department of State upon requisition.

(b) In view of the limited number of persons composing the crews of aircraft, and for other reasons, the crew lists or declarations of aircraft commanders covering the aliens employed on the aircraft shall be prepared on such form as the Commissioner of Immigration and Naturalization may prescribe or approve.

(c) No form of application for a crew-list visa shall be required other than the presentation of the complete crew list and all necessary information with respect thereto.

§ 177.59 *Preparation of crew lists.* (a) All entries on the crew lists of both vessels and aircraft shall be made in the English language. Bilingual or multilingual entries may be made if one of the languages is English. All entries on both copies shall preferably be printed in ink or typewritten; however, script copies may be accepted by the consular officer. The name of every member of the crew, citizens and nationals of the United States as well as aliens, should be included in the crew list. Citizens and nationals of the United States and alien immigrant seamen or immigrant airmen who are in possession of immigration visas, or reentry permits, or who are admitted under section 13 (b) of the act of 1924, as amended, are not considered as being documented as nonimmigrant aliens, even if their names are included in a crew list which has been visaed. (E. O. 9352, Part III, June 15, 1943)

(b) There shall be inserted before the name of each seaman who is an alien, and who was not employed on the vessel on its last preceding trip to the United States the word "first." In addition the initials "PE" (meaning "Previous Experience") should be inserted immediately after the word "first" in the cases of seamen proceeding to the United States on their first trip on a vessel to which they have been transferred from another vessel of the same company. The neglect, failure, or refusal of the owner, agent, consignee, master, or other responsible person to comply with this requirement may constitute a violation of section 36 of the act of February 5, 1917, and such persons should be so informed by consular officers, but a failure to warn them will not relieve them of liability.

(c) If a crew list is prepared on more than one page, the pages should be securely fastened together with eyelets in the upper left corner and tied by ribbon inserted through the eyelets. The ends of the ribbon should be brought through a slit cut in the last page and fastened to the page opposite the visa stamp by a wafer seal on which the impression seal of the consular office should be placed. The consular impression seal should be placed on all other pages in the lower right corner. The pages should be properly numbered.

(d) In order to facilitate the handling of the crew list of a large vessel, a consular officer is authorized to separate a crew list containing 400 or more names into four separate sections. The separate sections should correspond to the following departments of the crew of the vessel: (1) Deck Department, (2) Engine Department, (3) Catering Department, and (4) Armed Guard. The crew-list visa should be placed on the last page of the last section of the crew list. Each section of the crew list should be closed in such a manner as to prevent any additions to the list after the visa has been granted with the words "I. Deck Department, (or II. Engine Department, III. Catering Department, or IV. Armed Guard), Containing — members of crew". The final section of the crew list should further carry the words "Crew list in four parts: Total members —".

(e) If the name or names of seamen or airmen submitted as signed on after the crew list was visaed are in substitution for other members of the crew, the names of the latter seamen or airmen should be stricken from the list with pen and ink and the initials of the consular officer should be placed on the line opposite the names deleted. If there should not be sufficient time in which to complete an investigation of the seamen or airmen, the consular officer should not delay the vessel or aircraft, but may authorize the addition of such names to the crew list and telegraph the Department of State regarding any such alien in whose case investigation discloses information indicating a malafide seaman or airman, or other grounds for exclusion at the port of entry.

(f) If the additional members of the crew are signed on in an emergency under circumstances which make it impossible to submit the names to the consular officer before sailing, the facts should be reported at the first port of call at which an American consular officer is stationed. The latter officer may issue a supplemental crew-list visa covering the members of the crew in question if satisfied regarding their bona fides. He should communicate with the consular officer at the port of shipment, before the visa is granted if time permits, and request information concerning the seamen or airmen in order that the Department of State may be advised regarding those whose status may be in doubt. The consular officer first discovering the doubtful status of the members of the crew should report the facts to the Department of State and advise the other officer that he has done so.

§ 177.60 *Form of crew-list visa.* The passport visa stamp should be affixed, signed, and sealed, and the clauses concerning the period of validity of the visa should be struck out, as a crew-list visa is valid for only one entry. The visa should be shown as granted under section 3 (5) of the Immigration Act of 1924, and the notation "seamen" or "airmen" should be entered on the classification line below. The visa should be placed on the crew list in such a manner as to prevent any addition being made to the list after the visa has been granted. The words "Closed with — members of crew" should be written at the end of the crew list and just ahead of the visa.

(a) *Numbering, fees, and fee stamps.* Crew-list visas need not be numbered. The fee for visaing a crew list is \$2.00, as prescribed by Item No. 7 of the Tariff of United States Foreign Service Fees. No fee should be charged for a crew-list visa issued to a United States vessel or aircraft or for supplemental visa issued to any vessel or aircraft. Fee stamps in the prescribed amount will be placed on the visa and canceled.

§ 177.61 *Disposition of crew lists.* After the crew-list visa has been granted or refused, the original copy of the crew list should be returned to the master, commanding officer, or agent of the vessel or aircraft for delivery to the appropriate authorities at the first port or place of arrival in the United States. The crew list on Form I-480 or other prescribed form is for ultimate delivery to the immigration authorities in the United States. The duplicate copy of Form I-480 or other prescribed form should be filed in the consular office and should bear appropriate notations to identify the service, its date, fee, and fee number.

§ 177.62 *Effective date.* This part shall become effective on September 10, 1946.

#### PART 178—POSTING OF IMMIGRATION LAWS BY TRANSPORTATION COMPANIES

§ 178.1 *Posting of immigration laws by transportation companies.* Upon application by any transportation company, the Central Office will furnish a summary of all immigration laws, in English, a posting of which, in appropriate foreign languages, will be regarded as an observance of the spirit of section 8 of the act of March 3, 1893 (27 Stat. 570; 8 U. S. C. 172). Certificates in relation to the posting of immigration laws and other matters which, under said law, transportation companies must file, shall be filed with the Central Office on January 1 and July 1 each year. (Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133; 8 CFR, 90.1.)

#### Subchapter D—Nationality Regulations

##### PART 301—DEFINITIONS OF WORDS AND PHRASES USED IN THE NATIONALITY ACT OF 1940

Sec.

301.1 Definitions of "national," "alien," "state," "permanent," "allegiance," and "stateless person."

Sec.	
301.2	Definitions of "national of the United States" and "citizen of the United States."
301.3	Definition of "naturalization."
301.4	Definition of "United States."
301.5	Definition of "outlying possessions."
301.6	Definition of "State."
301.7	Definition of "foreign state."
301.8	Definition of "residence."
301.9	Definition of "parent."
301.10	Definition of "child."
301.11	Definition of "minor."
301.12	Definition of "naturalization court."
301.13	Definition of "clerk of court."
301.14	Definition of "Attorney General."
301.15	Definitions of "Commissioner" and "Deputy Commissioner."
301.16	Definition of "Service."
301.17	Definition of "designated examiner."
301.18	Definitions of other terms.

AUTHORITY: §§ 301.1 to 301.18, inclusive; issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 301.1 Definitions of "national," "alien," "state," "permanent," "allegiance," and "stateless person."** The term "national" means a person owing permanent allegiance as a citizen or a subject or otherwise to a state, including the United States. An "alien" is a person who is neither a citizen nor a national of the United States. The term "state" means a member of the community of nations, including its outlying possessions. The term "state" does not include a State of the United States. The term "permanent" as used in this part in relation to allegiance means a relationship of a continuing or lasting nature, as distinguished from a "temporary" relationship; but a relationship may be permanent even though it is one which may be dissolved eventually at the instance either of the United States or of the individual, in accordance with law. The term "allegiance" means the tie which binds the individual to the state of which he is a national and denotes the sum of the obligations which he owes to the state. A "stateless person" is an alien who does not owe permanent allegiance to any state. (Sects. 101 (a), (b), 321, 335, 54 Stat. 1137, 1148, 1157; 8 U. S. C. 501 (a), (b), 721, 735)

**§ 301.2 Definitions of "national of the United States" and "citizen of the United States."** The term "national of the United States" means any person who owes permanent allegiance to the United States, whether or not he is a citizen of the United States. The term "citizen of the United States" means a person who, through birth or naturalization, has acquired citizenship of the United States and has not lost that status. Neither of these two terms includes an alien. (Const. U. S. sec. 1, art. XIV; sec. 101 (b), 54 Stat. 1137; 8 U. S. C. 501 (b))

**§ 301.3 Definition of "naturalization."** The term "naturalization" means the conferring of nationality of a state upon a person after birth. (Sec. 101 (c), 54 Stat. 1137; 8 U. S. C. 501 (c))

**§ 301.4 Definition of "United States."** The term "United States" when used in a geographical sense means the continental United States, Alaska, Hawaii,

Puerto Rico, and the Virgin Islands of the United States. (Sec. 101 (d), 54 Stat. 1137; 8 U. S. C. 501 (d))

**§ 301.5 Definition of "outlying possessions."** The term "outlying possessions" means all territory over which the United States exercises rights of sovereignty other than the continental United States, Alaska, Hawaii, Puerto Rico, the Virgin Islands of the United States, and the Canal Zone. (Sec. 101 (e), 54 Stat. 1137; 8 U. S. C. 501 (e))

**§ 301.6 Definition of "State."** The term "State" as used in Chapter III of the Nationality Act of 1940, except in section 301 (a) thereof, includes Alaska, Hawaii, the District of Columbia, Puerto Rico, and the Virgin Islands of the United States. (Sec. 102 (a), 54 Stat. 1138; 8 U. S. C. 502 (a))

**§ 301.7 Definition of "foreign state."** The term "foreign state," as used in section 404 of the Nationality Act of 1940, includes outlying possessions of a foreign state, but self-governing dominions (such as Australia, New Zealand, Canada, and the Union of South Africa) and territory under mandate (such as Palestine and Trans-Jordan, Syria and Lebanon, South-West Africa, and Western Samoa) shall be regarded as separate states. (Sec. 103, 54 Stat. 1138; 8 U. S. C. 503)

**§ 301.8 Definition of "residence."** For the purposes of sections 201, 307 (b), and 403 to 407, inclusive, of the Nationality Act of 1940, the place of a person's general abode shall be deemed the place of his residence. The place of general abode of a person is his principal dwelling place. (Sec. 104, 54 Stat. 1138; 8 U. S. C. 504)

**§ 301.9 Definition of "parent."** The term "parent" includes either the father or the mother, the deceased parent of a posthumous child, and the mother of an illegitimate child. (Sects. 101 (f), 102 (h), 54 Stat. 1137, 1138; 8 U. S. C. 501 (f), 502 (h))

**§ 301.10 Definition of "child."** The term "child" includes a child legitimated under the law of the child's residence or domicile, whether in or outside of the United States; also, a child adopted in the United States, provided that such legitimation or adoption takes place before the child reaches the age of sixteen years, and the child is in the legal custody of the legitimating or adopting parent or parents. (Sec. 102 (h), 54 Stat. 1138; 8 U. S. C. 502 (h))

**§ 301.11 Definition of "minor".** The term "minor" means a person under twenty-one years of age, regardless of the meaning of the term under any State or foreign law. (Sec. 101 (g), 54 Stat. 1137; 8 U. S. C. 501 (g))

**§ 301.12 Definition of "naturalization court".** The term "naturalization court", unless otherwise particularly described, means a court which is authorized by section 301 (a) of the Nationality Act of 1940 to exercise naturalization jurisdiction. (Sects. 102 (b), 346 (c), 54 Stat. 1138, 1167; 8 U. S. C. 502 (b), 746 (c))

**§ 301.13 Definition of "clerk of court".** The term "clerk of court" means a clerk

of a naturalization court as defined in § 301.12, except as provided in section 346 (c) of the Nationality Act of 1940. (Sec. 102 (c), 54 Stat. 1138; 8 U. S. C. 502 (c))

**§ 301.14 Definition of "Attorney General".** The term "Attorney General" means the Attorney General of the United States. (Sec. 102 (e), 54 Stat. 1138; 8 U. S. C. 502 (e))

**§ 301.15 Definitions of "Commissioner" and "Deputy Commissioner".** The terms "Commissioner" and "Deputy Commissioner" mean, respectively, the Commissioner of Immigration and Naturalization, and a Deputy Commissioner of Immigration and Naturalization, United States Department of Justice. (Sec. 102 (d), 54 Stat. 1138; 8 U. S. C. 502 (d))

**§ 301.16 Definition of "Service".** The term "Service" means the Immigration and Naturalization Service of the United States Department of Justice. (Sec. 102 (f), 54 Stat. 1138; 8 U. S. C. 502 (f))

**§ 301.17 Definition of "designated examiner".** The term "designated examiner" means a member of the Service designated under section 333 (a) of the Nationality Act of 1940 by the Commissioner or a Deputy Commissioner to act as a designated examiner for the purpose of conducting preliminary naturalization hearings and making findings and recommendations thereon to the appropriate naturalization courts. (Sects. 102 (g), 333 (a), 54 Stat. 1138, 1156; 8 U. S. C. 502 (g), 733 (a))

**§ 301.18 Definitions of other terms.** (a) Words importing the masculine gender shall include the feminine gender.

(b) Words importing the plural number shall include the singular, and words importing the singular shall extend and be applied to the plural.

(c) The reference to any officer shall include any person authorized by law or regulation to perform the duties of the office held by such officer.

(d) The requirement of an "oath" shall be deemed complied with by making affirmation in judicial form. (R. S. 1878, sec. 1; 1 U. S. C. 1)

#### PART 314—ACQUISITION OF CITIZENSHIP OR NATIONALITY SUBSEQUENT TO BIRTH: BY JUDICIAL NATURALIZATION OF INDIVIDUALS

##### Sec.

314.1 Persons naturalized by judicial action; effective date.  
314.2 Naturalization of individuals by judicial action where citizenship is in doubt.

AUTHORITY: §§ 314.1 and 314.2 issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 314.1 Persons naturalized by judicial action; effective date.** Any person who was or shall hereafter be admitted to citizenship by the written order of a court authorized to exercise naturalization jurisdiction, became or shall become a citizen and national of the United States as of the date of taking and subscribing to the required oath of renunciation and

## RULES AND REGULATIONS

allegiance, or the granting by such court of the waiver of such oath because of infancy where permitted by law. (Const. U. S. sec. 1, art. XIV; sec. 335 (a), 54 Stat. 1157; 8 U. S. C. 735)

**§ 314.2 Naturalization of individuals by judicial action where citizenship is in doubt.** Any person who is not a citizen of the United States or as to whose citizenship of the United States there is a doubt, may apply for naturalization to any court authorized to exercise naturalization jurisdiction, in accordance with the requirements of this subchapter. (Secs. 301-347, 54 Stat. 1140-1168, 8 U. S. C. and Sup., 701-747)

**PART 315—PROCEDURE FOR OVERCOMING THE PRESUMPTION OF EXPATRIATION UNDER SECTION 402 OF THE NATIONALITY ACT OF 1940**

Sec.	
315.1	Nationals subject to presumption of expatriation.
315.2	When presumption arises.
315.3	When six months' residence begins.
315.4	To whom evidence shall be presented to overcome presumption.
315.5	Evidence required to overcome presumption.
315.6	Form of evidence.
315.7	When evidence is not satisfactory to diplomatic or consular officer.
315.8	When evidence is not satisfactory to immigration officer.
315.9	When evidence overcomes presumption; effect of decision.
315.10	Proof of facts not relating to presumption under section 402.

**AUTHORITY:** §§ 315.1 to 315.10, inclusive, issued under sec. 402, 54 Stat. 1169; 8 U. S. C. 802; sec. 22, title 5, U. S. C.; sec. 37 (a), 54 Stat. 675; 8 U. S. C. 458. Statutes interpreted or applied are secs. 401 (c), (d), 402, 403 (b), 54 Stat. 1169, 1170; 8 U. S. C. 801 (c), (d), 802, 803 (b).

**§ 315.1 Nationals subject to presumption of expatriation.** Section 402 of the Nationality Act of 1940 (54 Stat. 1169; 8 U. S. C. 802) provides:

A national of the United States who was born in the United States or who was born in any place outside of the jurisdiction of the United States of a parent who was born in the United States, shall be presumed to have expatriated himself under subsection (c) or (d) of section 401, when he shall remain for six months or longer within any foreign state of which he or either of his parents shall have been a national according to the laws of such foreign state, or within any place under control of such foreign state, and such presumption shall exist until overcome whether or not the individual has returned to the United States. Such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, or to an immigration officer of the United States, under such rules and regulations as the Department of State and the Department of Justice jointly prescribe. However, no such presumption shall arise with respect to any officer or employee of the United States while serving abroad as such officer or employee, nor to any accompanying member of his family.

Subsections (c) and (d) of section 401 of the act (54 Stat. 1169; 8 U. S. C. 801 (c), (d)) provide that a person who is a national of the United States either by birth or naturalization shall lose his nationality by:

(c) Entering, or serving in, the armed forces of a foreign state unless expressly authorized by the laws of the United States, if he has or acquires the nationality of such foreign state; or

(d) Accepting, or performing the duties of, any office, post, or employment under the government of a foreign state or political subdivision thereof for which only nationals of such state are eligible.

Subsection (b) of section 403 of the act (54 Stat. 1170; 8 U. S. C. 803 (b)) provides:

No national under eighteen years of age can expatriate himself under subsections (b) to (g), inclusive, of section 401.

**§ 315.2 When presumption arises.**

The presumption that a person who was born in the United States or in any place outside of the jurisdiction of the United States of a parent who was born in the United States has committed the acts of expatriation specified in subsections (c) and (d) of section 401 of the Nationality Act of 1940 will only arise under section 402 of the act when the person, while not an officer or employee of the United States serving abroad or an accompanying member of the family of such officer or employee, shall have remained for six months after the date stated in § 315.3, in a foreign state or in any place within the control thereof of which he or either of his parents shall have been a national.

**§ 315.3 When six months' residence begins.** The six months' residence referred to in section 402 of the Nationality Act of 1940 cannot begin before January 13, 1941 (the effective date of the act), nor before the person in question has reached the age of eighteen years.

**§ 315.4 To whom evidence shall be presented to overcome presumption.** Evidence intended to overcome the presumption of expatriation under section 402 of the Nationality Act of 1940 shall be presented (a) to a diplomatic or consular officer of the United States, if the person making a claim to nationality of the United States is in a foreign country; (b) to an immigration officer at a port of entry of the United States, if such person is applying for admission to the United States; (c) to the Department of State, Washington, D. C., if such person is residing in the United States and is applying for a passport or for protection abroad or for any other official assistance from that Department; and (d) to such immigration officer as required by regulations under the immigration or nationality laws relating to the right or privilege which the person residing in the United States seeks to avail himself of as a national thereof. In the case of any other person residing in the United States who is seeking to avail himself of a right or privilege as a national thereof, if it appears that a presumption of expatriation has arisen against him under section 402 of the Nationality Act of 1940, the Commissioner of Immigration and Naturalization, Washington, D. C., should be consulted.

**§ 315.5 Evidence required to overcome presumption.** The presumption described in section 402 of the Nationality Act of 1940 may be overcome by the

presentation of satisfactory evidence that the person subject to the presumption has not, on or after January 13, 1941, (a) entered or served in the armed forces of a foreign state, or, if he has so entered or served, that he did not have and did not acquire the nationality of such foreign state; and (b) that he has not, on or after January 13, 1941, accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof, or, if he has accepted or performed any such duties, that nationality of such foreign state was not a prerequisite to eligibility therefor. A statement of the cause of his foreign residence which has given rise to such presumption, the places in the foreign state or states where he resided, and the occupations he followed in each such place shall be required.

**§ 315.6 Form of evidence.** Evidence to overcome the presumption under section 402 of the Nationality Act of 1940 shall be in the form of statements made under oath or affirmation by the person seeking to overcome such presumption. The officer examining any case under § 315.2 may, in his discretion, require additional evidence in support of any such statements. When it appears that the person against whom the presumption has arisen has performed any of the acts specified in subsection (c) or (d) of section 401 of the Nationality Act of 1940, a written statement by the appropriate officer of the foreign state shall be required, if practicable, showing whether such person at the time of performing such acts was a national of that state, whether only nationals of that state were eligible for such service, or whether by performing such acts he acquired its nationality. The statement of such foreign officer shall be accepted as *prima facie* correct.

**§ 315.7 When evidence is not satisfactory to diplomatic or consular officer.** When the evidence presented is clearly not satisfactory to the diplomatic or consular officer of the United States to overcome the presumption of expatriation under section 402 of the Nationality Act of 1940, he shall refer his findings to the Department of State and if the latter concurs it shall inform the Department of Justice. In any case in which the evidence is not entirely satisfactory to such officer to show that the presumption of expatriation has arisen, or, if it has arisen, that it has been overcome by the evidence presented, he should consult the Department of State.

**§ 315.8 When evidence is not satisfactory to immigration officer.** (a) When, in the case of a person applying at a port of the United States for admission as a national thereof, an immigration officer is not entirely satisfied that the presumption of expatriation under section 402 of the Nationality Act of 1940 has arisen, or, if it has arisen, he is not entirely satisfied that it has been overcome by the evidence presented, he shall refer the case to a board of special inquiry. Such board, if not satisfied that the presumption is overcome, and if such person is not admissible to the United States as an alien,

shall exclude him from admission to the United States, and inform him of his right of appeal on each question.

(b) In any case in which a person residing in the United States seeks as a national thereof to avail himself of any right or privilege in connection with the administration of the immigration laws or the nationality laws, and the immigration officer is not entirely satisfied that the presumption of expatriation under section 402 of the Nationality Act of 1940 has arisen, or, if it has arisen, he is not entirely satisfied that it has been overcome by the evidence presented, the case shall be handled in the manner and in the channels as required by the regulations relating to the exercise of such right or privilege. If the final decision be that such presumption has arisen and has not been overcome, the Central Office, Immigration and Naturalization Service, shall so inform the Department of State. (Secs. 16, 17, 39 Stat. 885, 887; 8 U. S. C. 152, 153)

§ 315.9 *When evidence overcomes presumption; effect of decision.* When the United States diplomatic or consular officer or immigration officer is satisfied that the evidence presented overcomes the presumption of expatriation under section 402 of the Nationality Act of 1940, the United States passport or other travel document of the person shall be endorsed by or on the part of such officer with a certificate as follows:

I certify that the holder of this \_\_\_\_\_ has submitted to me evidence which I believe to be sufficient to overcome, as of this date, the presumption of expatriation under section 402 of the Nationality Act of 1940.

If the person has no such passport or travel document, the certificate shall be made in the form of a letter to him. The certificate shall be dated and signed by the officer making it, and he shall add thereto the title of his office and his station. Such certificate shall be accepted by diplomatic, consular, and immigration officers of the United States as *prima facie* evidence that the presumption of expatriation has been overcome, but shall not preclude such officers or the United States from requiring satisfactory evidence that the certificate was not obtained or issued through fraud or other illegality when there is reasonable cause to believe that such is the case.

§ 315.10 *Proof of facts not relating to presumption under section 402.* Nothing in this part shall relieve any person from complying with any requirements with respect to proof of facts which do not relate to overcoming the presumption under section 402 of the Nationality Act of 1940.

#### PART 316—RENUNCIATION OF UNITED STATES NATIONALITY

Sec.

- 316.1 Loss of United States nationality under certain circumstances.
- 316.2 Nationals permitted to apply for renunciation.
- 316.3 Filing of application.
- 316.4 Hearing on application.
- 316.5 Formal written renunciation of nationality.
- 316.6 Hearing officer's recommendation.

Sec.

- 316.7 Approval or disapproval by Attorney General.
- 316.8 Notice of Attorney General's decision.
- 316.9 Effective period of the regulations in this part.

AUTHORITY: §§ 316.1 to 316.9, inclusive, issued under sec. 401 of the Nationality Act of 1940 (54 Stat. 1168; 8 U. S. C. 801), as amended by the act of July 1, 1944 (58 Stat. 677; 8 U. S. C. Sup., 801 (1).

§ 316.1 *Loss of United States nationality under certain circumstances.* Sections 401 (i) and 403 (a) of the Nationality Act of 1940 (8 U. S. C. 801, 803), as amended by the act of July 1, 1944 (58 Stat. 677; 8 U. S. C. Sup., 801 (i), 803 (a)) provide:

Sec. 401. A person who is a national of the United States, whether by birth or naturalization, shall lose his nationality by:

(1) Making in the United States formal written renunciation of nationality in such form as may be prescribed by, and before such officer as may be designated by, the Attorney General, whenever the United States shall be in a state of war and the Attorney General shall approve such renunciation as not contrary to the interests of national defense.

Sec. 403. (a) Except as provided in subsections (g), (h), and (i) of section 401, no national can expatriate himself, or be expatriated, under this section while within the United States or any of its outlying possessions, but expatriation shall result from the performance within the United States or any of its outlying possessions of any of the acts or the fulfillment of any of the conditions specified in this section if and when the national thereafter takes up a residence abroad.

§ 316.2 *Nationals permitted to apply for renunciation.* Any national of the United States may make in the United States a request in writing to the Attorney General, Department of Justice, Washington, D. C., for the form of "Application for Renunciation of United States Nationality."

§ 316.3 *Filing of application.* A completed and signed application for renunciation of United States nationality on the form prescribed by the Attorney General may be sent to the Attorney General, together with any certificate of citizenship, certificate of naturalization, certificate of derivative citizenship and any United States passport which may have been issued to the applicant. An applicant will be notified if it is determined upon the application that the requested renunciation appears to be contrary to the interests of national defense.

§ 316.4 *Hearing on application.* A hearing will be conducted by a hearing officer, designated by the Attorney General, upon each application for renunciation which does not appear to be contrary to the interests of national defense. The hearing officer will notify the applicant of the time and place of hearing.

§ 316.5 *Formal written renunciation of nationality.* After a hearing the applicant may file with the hearing officer, on a form prescribed by the Attorney General, a formal written renunciation of nationality and a request for the Attorney General's approval of such re-

nunciation as not contrary to the interests of national defense.

§ 316.6 *Hearing officer's recommendation.* The hearing officer shall recommend approval or disapproval by the Attorney General of the applicant's request for approval of the formal written renunciation of nationality. The hearing officer, in making his recommendation, is authorized to consider not only the facts presented at the hearing, but also results of any investigation and any information which may be available to him in reports of Government agencies or bureaus, and from other sources, relating to the applicant's allegiance and relating to the effect of renunciation of nationality upon the interests of national defense.

§ 316.7 *Approval or disapproval by Attorney General.* The hearing officer's recommendation and the record of the hearing and any other facts upon which it is based, will be submitted to the Attorney General for his approval or disapproval of the applicant's formal written renunciation of nationality. A renunciation of nationality shall not become effective until an order is issued by the Attorney General approving the renunciation as not contrary to the interests of national defense.

§ 316.8 *Notice of Attorney General's decision.* The applicant will be notified of the Attorney General's approval or disapproval of the formal written renunciation of nationality. Notice of the approval of renunciation of nationality shall be given to the State Department, the Alien Property Custodian, Foreign Funds Control Section of the Treasury Department, and the Federal Bureau of Investigation and the Immigration and Naturalization Service of the Department of Justice. The notice to the Immigration and Naturalization Service shall be accompanied by any certificate of citizenship, certificate of naturalization or certificate of derivative citizenship issued to and surrendered by the applicant as required by § 316.3. Upon receipt of such notice and evidence of citizenship so surrendered, the Immigration and Naturalization Service shall notify the clerk of the court in which the applicant's naturalization occurred that the renunciation of nationality has been approved and the clerk of the court shall be requested to enter that fact upon the record of naturalization.

The notice to the Department of State shall be accompanied by any United States passport surrendered by the applicant as required by § 316.3.

§ 316.9 *Effective period of the regulations in this part.* The regulations in this part shall be effective from the date hereof [October 7, 1944] and until cessation of the present state of war unless sooner terminated by the Attorney General.

#### PART 317—CERTIFICATE OF IDENTITY FOR ADMISSION TO THE UNITED STATES TO PROSECUTE AN ACTION UNDER SECTION 503 OF THE NATIONALITY ACT OF 1940

Sec.

- 317.1 Authority for issuance of certificate of identity.

## RULES AND REGULATIONS

Sec.

317.2 Application for certificate of identity.

317.3 Independent investigation.

317.4 Good faith and substantial basis of claim of United States nationality.

317.5 Denial of a right or privilege as a national of the United States.

317.6 Proof of institution of action.

317.7 In case of doubt as to issuance of certificate of identity.

317.8 Form and issuance of certificate of identity.

317.9 Period of validity of certificate of identity.

317.10 Denial of certificate of identity.

317.11 Appeal by applicant.

317.12 Certificate of identity obtained by fraud or other illegality.

AUTHORITY: §§ 317.1 to 317.12, inclusive, issued under sec. 503, 54 Stat. 1171, 1172; 8 U. S. C. 903.

§ 317.1 Authority for issuance of certificate of identity. Section 503 of the Nationality Act of 1940 (54 Stat. 1171, 1172; 8 U. S. C. 903) provides:

If any person who claims a right or privilege as a national of the United States is denied such right or privilege by any Department or agency, or executive official thereof, upon the ground that he is not a national of the United States, such person, regardless of whether he is within the United States or abroad, may institute an action against the head of such Department or agency in the District Court of the United States for the District of Columbia or in the district court of the United States for the district in which such person claims a permanent residence for a judgment declaring him to be a national of the United States. If such person is outside the United States and shall have instituted such an action in court, he may, upon submission of a sworn application showing that the claim of nationality presented in such action is made in good faith and has a substantial basis, obtain from a diplomatic or consular officer of the United States in the foreign country in which he is residing a certificate of identity stating that his nationality status is pending before the court, and may be admitted to the United States with such certificate upon the condition that he shall be subject to deportation in case it shall be decided by the court that he is not a national of the United States. Such certificate of identity shall not be denied solely on the ground that such person has lost a status previously had or acquired as a national of the United States; and from any denial of an application for such certificate the applicant shall be entitled to an appeal to the Secretary of State, who, if he approves the denial, shall state in writing the reasons for his decision. The Secretary of State, with approval of the Attorney General, shall prescribe rules and regulations for the issuance of certificates of identity as above provided.

§ 317.2 Application for certificate of identity—(a) What application shall show. The application for a certificate of identity shall show:

(1) The full and true name of the applicant;

(2) The place of his residence outside the United States;

(3) That he claims to be a national of the United States, and the basis of such claim and evidence submitted in support thereof;

(4) That such claim is made in good faith and upon a substantial basis;

(5) That he claims a right or privilege as a national of the United States, and specifically the nature of such claim;

(6) That such right or privilege has been denied him by a specified department or agency or executive official of the United States on the ground that the applicant is not a national of the United States, and the date and place of such denial;

(7) That an action for a judgment declaring applicant to be a national of the United States has been instituted by him against the head of such department or agency in the District Court of the United States for the District of Columbia or in the district court of the United States for the specified district in which he claims permanent residence;

(8) That such action was instituted in good faith with the intention of prosecuting it to conclusion and is pending in such court;

(9) That he desires to proceed to the United States to prosecute such action;

(10) That, if granted a certificate of identity and admitted to the United States for the purpose of prosecuting such action, he will do so with due diligence;

(11) That he understands that admission to the United States upon such certificate of identity shall be under regulations prescribed in Part 112 of this chapter, and upon the condition that he shall be subject to deportation if the final outcome of such court action is not to the effect that he is a national of the United States and if he then fails to depart therefrom without delay in accordance with directions from the Immigration and Naturalization Service; and

(12) Such other facts and proofs, with respect to the foregoing, as may be required by the application form or by the diplomatic or consular officer before whom the application for a certificate of identity is executed.

(b) Supporting witness. The application for a certificate of identity shall be supported by the affidavit of a credible witness, but this requirement may be waived in the discretion of the officer before whom the application is executed.

(c) Form and execution. The application for a certificate of identity shall be made in quadruplicate on an approved form and shall be signed and sworn to (or affirmed) by the applicant in person before a diplomatic or consular officer of the United States. The affidavit of the witness, if not waived, shall also be made before a diplomatic or consular officer of the United States. The application shall be accompanied by four photographs of the applicant taken within thirty days of the date on which the application is filed. The photographs shall be 2 by 2 inches in size, unmounted, printed on thin paper, have a light background, and clearly show a full front view of the features of the applicant (with head bare, unless the applicant is a member of a religious order wearing a headdress), with the distance from the top of head to point of chin approximately 1 1/4 inches. Snapshot, group, or full length pictures will not be accepted. The applicant, except in the case of a person physically or otherwise incapable of signing his name, shall sign each copy of the photograph with his full, true name in such manner as not to obscure the fea-

tures. The signature shall be by mark if the applicant is unable to write. One photograph shall be glued to the original application and one to each copy thereof and impressed with the legend machine so as not to cover the features. Officers not having a legend machine will use the impression seal. The consular impression seal should invariably be used in completing the application. Fingerprints of the applicant shall be required and attached to the application and each copy thereof, as in the case of a visa.

§ 317.3 Independent investigation. When an application for a certificate of identity is executed before a diplomatic or consular officer, an independent investigation of the facts in the case should be made, as far as practicable, by such officer, even though the application and proofs submitted therewith may on their face appear to justify issuance of a certificate of identity.

§ 317.4 Good faith and substantial basis of claim of United States nationality—(a) Relationship to provision concerning loss of nationality. The provision in section 503 of the Nationality Act of 1940 that a certificate of identity shall not be denied "solely on the ground that such person has lost a status previously had or acquired as a national of the United States" is to be read with the provision of the section that the claim of nationality presented in the court action be made in good faith and have a substantial basis.

(b) Meaning of good faith. Good faith means an honest belief of the applicant that he is a national of the United States, and is to be determined by the diplomatic or consular officer of the United States in the light of the facts and circumstances of each case. For example, where it appears that United States nationality has been lost by naturalization of the person upon his own application in a foreign state, good faith would appear to be lacking in the absence of a satisfactory showing to the contrary. Special care should be taken in the examination of the case of an applicant who, while in a foreign state, has exercised any rights or performed any duties for which only nationals of such state are eligible.

(c) Meaning of substantial basis. A substantial basis of a claim of United States nationality means one which satisfies the diplomatic or consular officer of the United States that the claim of the applicant that he is a national of the United States is, notwithstanding any previous ruling of a department, agency, or executive official of the United States, sufficiently meritorious to justify resort to the court for a determination of the question.

§ 317.5 Denial of a right or privilege as a national of the United States. Denial by a Department or agency or executive official of the United States of a right or privilege as a national of the United States may occur in the administration of various laws. For example, it may occur where a person has applied as a national of the United States for a passport or for registration at an American consulate or for nonquota sta-

tus of an alien wife or alien minor child under sections 4 and 9 of the Immigration Act of 1924, and the application is denied on the ground that the applicant is not a national of the United States.

**§ 317.6 Proof of institution of action.** Proof that the applicant has instituted an action referred to in § 317.2 is best made by presentation of a duly certified copy of the complaint filed in the action. The presentation of such a copy may be waived only when other evidence is furnished which satisfactorily establishes that the suit has been instituted and is pending.

**§ 317.7 In case of doubt as to issuance of certificate of identity.** Where it appears that the presence of the applicant in the United States would endanger the public safety or where the diplomatic or consular officer believes that the applicant is a national of the United States and entitled to a passport as such or where the diplomatic or consular officer has any doubt with respect to the action he should take upon the application for a certificate of identity, the officer should suspend action and consult the Department of State.

**§ 317.8 Form and issuance of certificate of identity.** The certificate of identity shall be issued on the approved form, printed upon the application form. It shall be signed and sealed by the diplomatic or consular officer, who shall state on the original and each copy thereof the date and place of issuance. The three copies shall be marked "copy." One copy and any documentary evidence submitted by the applicant shall be retained in the files of the issuing office, and two copies sent to the Department of State, one of which shall be forwarded to the Central Office, Immigration and Naturalization Service, Department of Justice.

**§ 317.9 Period of validity of certificate of identity.** A certificate of identity shall expire six months from the date of its issuance, unless extended by direction of the Secretary of State.

**§ 317.10 Denial of certificate of identity.** In case the certificate of identity is denied by a diplomatic or consular officer, a notation to that effect shall be made by him in the space provided therefor at the end of the original application and on each copy thereof. The notation shall set forth definitely the grounds for the denial. The original application and any documentary evidence submitted by the applicant shall be retained in the files of the office to which the application was submitted. One copy shall be returned to the applicant, and two copies shall be sent to the Department of State, one of which shall be forwarded to the Central Office, Immigration and Naturalization Service, Department of Justice.

**§ 317.11 Appeal by applicant.** When an applicant is denied a certificate of identity, he may appeal by a written statement to the Secretary of State, setting forth fully the pertinent facts and the grounds upon which United States nationality is claimed and his reasons for considering that the denial of his appli-

cation by the diplomatic or consular officer is not justified. The statement shall be executed in quadruplicate and submitted to the diplomatic or consular office in which the denial was made. If the statement contains facts not set forth in the application it shall be sworn to (or affirmed) by the applicant before a diplomatic or consular officer of the United States. The original statement and one copy shall be forwarded by the diplomatic or consular officer to the Department of State with two copies of the application for the certificate of identity and any documentary evidence submitted by the applicant, if the copies have not already been sent to that Department. One copy of the statement shall be retained in the files of the diplomatic or consular office in which the denial was made and one copy returned to the applicant. If it is not practicable for the statement to be sworn to or affirmed by the applicant in the diplomatic or consular office in which the denial was made, it may be sworn to or affirmed in any other diplomatic or consular office of the United States. In such case, the original and two copies of the statement shall be forwarded by that office to the diplomatic or consular office in which the application was denied, but if that is not practicable they shall be sent directly to the Department of State. One copy shall be returned to the applicant.

**§ 317.12 Certificate of identity obtained by fraud or other illegality.** Whenever a certificate of identity is found by a diplomatic or consular officer of the United States to have been obtained by fraud or other illegality, or to be in the possession of a person other than the rightful holder, such officer shall, if practicable, obtain possession of the certificate and send it, together with a report on the matter, directly to the Department of State.

**CROSS REFERENCE:** For regulations with respect to admission of holder of certificate of identity issued under section 503 of the Nationality Act of 1940, see Part 112 of this chapter.

#### PART 320—NATURALIZATION COURTS AND THEIR JURISDICTION

Sec.

- 320.1 Jurisdiction of courts to naturalize.
- 320.2 Limitations on judicial jurisdiction.
- 320.3 Jurisdiction to accept declarations of intention.
- 320.4 Limited period for disposing of petitions for naturalization filed prior to January 13, 1941.

**AUTHORITY:** §§ 320.1 to 320.4, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675, 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 320.1 Jurisdiction of courts to naturalize.** Exclusive general jurisdiction to naturalize aliens and other non-citizens of the United States is conferred by the Nationality Act of 1940 upon all district courts of the United States in any State, in the Territories of Hawaii and Alaska, and in the District of Columbia and in Puerto Rico; upon the District Court of the Virgin Islands of the United

States, and upon all courts of record in any State or Territory, having a seal, a clerk, and jurisdiction in actions at law or equity, or law and equity, in which the amount in controversy is unlimited. (Sec. 301 (a), 54 Stat. 1140; 8 U. S. C. 701 (a))

**§ 320.2 Limitations on judicial jurisdiction.** The jurisdiction of a court to naturalize any person from and after January 13, 1941, is limited to persons resident within the jurisdiction of such court, except in those cases described in sections 312, 317, 318, 323, 324, and 325, of the Nationality Act of 1940, in which the requirement of residence within the court's jurisdiction is dispensed with. (Secs. 301 (a), 312, 317, 318, 54 Stat. 1140, 1145, 1146, 1147, sec. 323, 54 Stat. 1149, 56 Stat. 198, 60 Stat. 866, sec. 324, 54 Stat. 1149, 60 Stat. 417, sec. 325, 54 Stat. 1150; 8 U. S. C. and Sup., 701, 712, 717, 718, 723, 724, 725)

**§ 320.3 Jurisdiction to accept declarations of intention.** A noncitizen of the United States, otherwise eligible to make a declaration of intention to become a citizen of the United States, may do so in any naturalization court, regardless of the place of his residence in the United States. (Sec. 331, 54 Stat. 1153; 8 U. S. C. 731)

**§ 320.4 Limited period for disposing of petitions for naturalization filed prior to January 13, 1941.** All petitions for naturalization filed in naturalization courts prior to January 13, 1941, and which were pending on that date, must be finally heard and determined within two years thereafter, in accordance with the requirements of law in effect when the petitions were filed. (Sec. 347 (b), 54 Stat. 1168; 8 U. S. C. 747 (b))

#### PART 322—GENERAL CLASS OF PERSONS WHO MAY BE NATURALIZED

Sec.

- 322.1 General requirements.
- 322.2 Procedural requirements.

**AUTHORITY:** §§ 322.1 and 322.2 issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 322.1 General requirements.** A person, not a citizen of the United States, in order to be eligible for naturalization upon a petition for naturalization to a naturalization court shall, unless specially exempted as set forth in this subchapter:

- (a) Be at least 20 years old, if a declaration of intention at least two years old is required to be filed with the petition;
- (b) Have been lawfully admitted to the United States for permanent residence;
- (c) Have made a declaration of intention not less than two nor more than seven years before filing his petition;
- (d) Have resided continuously in the United States for at least five years and in the State in which his petition for naturalization is filed for at least six months, immediately preceding the filing of the petition;

## RULES AND REGULATIONS

(e) Be a person racially eligible for naturalization as defined in Part 350 of this chapter;

(f) Have been a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States during all of the periods described in paragraph (d) of this section, and during the period from the date of the filing of the petition up to the time of his admission to citizenship;

(g) Be able to speak the English language, unless physically unable to speak;

(h) Be able to sign his petition in his own handwriting, unless physically unable to write; and

(i) Be not disqualified for naturalization under section 305 or section 306 of the Nationality Act of 1940, or otherwise. (Secs. 101 (c), 301 (d), 54 Stat. 1137, 1140, sec. 303, 54 Stat. 1140, 57 Stat. 601, 60 Stat. 416, secs. 304, 305, 306, 307 (a), 54 Stat. 1140, 1141, 1142; 8 U. S. C. and Sup., 501 (c), 701 (d), 703, 704, 705, 706, 707 (a))

**§ 322.2 Procedural requirements.** (a) A person, not a citizen of the United States, at least 18 years old, may make application to file a declaration of intention at any time after having been lawfully admitted to the United States for permanent residence. Such person shall not be required to be able to speak the English language, and, if unable to write, may sign the declaration of intention and the photographs affixed thereto by mark.

(b) Application for a declaration of intention shall be made on preliminary Form N-300, as described in § 365.1 of this chapter, which form may be obtained from the clerk of any naturalization court or from any office of the Immigration and Naturalization Service. Following the submission of the preliminary Form N-300 to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter, the applicant will be notified when and where to appear to file the declaration of intention, at which time a fee of \$3 for the declaration of intention shall be paid to the clerk of the naturalization court. The declaration of intention may be made in any naturalization court, regardless of the place of residence in the United States of the applicant.

(c) When the applicant's declaration of intention is not less than two nor more than seven years old, and he has resided in the United States and State as specified in § 322.1 (d), he may make application to file a petition for naturalization. Such application shall be made on preliminary Form N-400, which the applicant may obtain from the clerk of any naturalization court having jurisdiction over his place of residence, or from any office of the Immigration and Naturalization Service. The filled-in form, with three photographs as prescribed in Part 364 of this chapter and the declaration of intention, shall be submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter.

(d) Upon receipt of Form N-400 with the proper enclosures, the Service will thereafter notify the applicant when

and where to appear with his witnesses for preliminary examination. Whenever practicable, a preliminary examination of the applicant and his witnesses, as described in § 370.8 of this chapter, shall be made prior to the filing of the petition for naturalization. If possible, the applicant shall bring with him at the time he appears to file his petition for naturalization the same two witnesses named in his preliminary Form N-400, but in the event that he is unable to do so other witnesses may be presented. The petition for naturalization shall be filed in a naturalization court having jurisdiction over the place of residence of the petitioner, and shall be filed only in the office of the clerk of such naturalization court. The petitioner shall pay to the clerk of the naturalization court a fee of \$8 for the filing of the petition for naturalization, which fee must be paid at the time the petition is filed.

(e) If the petition is filed in a court operating under section 333 of the Nationality Act of 1940, the petitioner and his witnesses shall be given a preliminary hearing by a designated examiner, immediately after the petition is filed if practicable, and in such cases the designated examiner may excuse the witnesses from appearance at the final hearing before the naturalization court if the witnesses appear to be qualified. The petitioner shall be notified when to appear in court with the witnesses who verified his petition, for the final hearing, unless he has previously been advised by the designated examiner that his witnesses have been excused from further appearance. If the witnesses who verified the petition for naturalization cannot be produced at the final hearing, other witnesses may be substituted as provided in § 373.4 of this chapter.

(f) Before being admitted to citizenship, the petitioner shall take the oath of renunciation and allegiance in open court, as described in § 375.1 of this chapter. A person admitted to citizenship by a naturalization court shall be entitled upon such admission to receive from the clerk of such court a certificate of naturalization as described in section 336 of the Nationality Act of 1940. (Secs. 301, 329-336, 342 (a), 54 Stat. 1140, 1150, 1152-1158, 1161, 58 Stat. 755; 8 U. S. C. and Sup., 701, 729-736, 742 (a))

**PART 324—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: CHILDREN**

Sec.

324.1 A child born outside of the United States, one of whose parents is a citizen of the United States by birth or naturalization at the time of petitioning for naturalization of the child.

324.2 A child not a citizen of the United States who has been adopted by a citizen of the United States.

324.3 A child under the age of 18 years who was formerly a citizen of the United States and who lost such citizenship through the cancellation of a parent's naturalization.

324.4 Petitions for naturalization filed in behalf of children; procedure.

**AUTHORITY:** §§ 324.1 to 324.4, inclusive, issued under sec. 327, 54 Stat. 1150; sec. 37 (a), 54 Stat. 675, 8 U. S. C. 727, 458; 8 CFR. 90.1.

Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 324.1 A child born outside of the United States, one of whose parents is a citizen of the United States by birth or naturalization at the time of petitioning for naturalization of the child.** A child not a citizen and born outside of the United States, one of whose parents is a citizen of the United States by birth or naturalization at the time of petitioning for the naturalization of such child, may be naturalized on petition of the citizen parent to the naturalization court within whose jurisdiction the parent and child reside. The petition for naturalization shall be filed and final action thereon taken while the child is under the age of 18 years. No declaration of intention shall be required. No definite period of residence in the United States or a State shall be required, but it must be established that the child in whose behalf the petition is filed is residing permanently in the United States with the citizen parent pursuant to lawful entry. A certificate of arrival shall be filed with the petition. There shall be included in the petition the affidavits of at least two credible witnesses, citizens of the United States, stating the length of time each of such witnesses has known the citizen parent and the child in whose behalf the petition is filed, that the said child has been and is permanently residing with the citizen parent in the United States, and that to the best of the witness' knowledge and belief the said child is qualified to become a citizen of the United States. At the hearing on the petition, the facts of the child's residence and the other qualifications described in section 307 (a) of the Nationality Act of 1940 shall be proved by the oral testimony of at least two credible witnesses who are citizens of the United States as required by section 309 (b) of the said act. The child's racial eligibility and ability to speak the English language shall be established by such evidence as may be satisfactory to the naturalization court. Before being admitted to citizenship the child in whose behalf the petition is filed shall take the oath prescribed by section 335 of the said act, except that such oath may be waived by the naturalization court, if, in the opinion of the court, the child is too young to understand the meaning of such oath. (Secs. 309, 315, 335, 54 Stat. 1143, 1146, 1157; 8 U. S. C. 709, 715, 735)

**§ 324.2 A child not a citizen of the United States who has been adopted by a citizen of the United States.** A child not a citizen of the United States who has been adopted by a citizen or citizens of the United States may be naturalized on petition of the adoptive parent or parents to the naturalization court within whose jurisdiction the adoptive parent or parents and the child reside. The petition for naturalization shall be filed and final action thereon taken while the adopted child is under the age of 18 years. No declaration of intention shall be required. Proof of at least two years' continuous residence in the United States immediately preceding the date of filing the petition, and proof that the child has been adopted in the United

States under the age of 16 years and has been in the legal custody of the adoptive parent or parents for at least two years prior to the filing of the petition, shall be furnished. A certificate of arrival shall be filed with the petition. There shall be included in the petition the affidavits of at least two credible witnesses, citizens of the United States, stating that each has personally known the adopted child to have been a resident of the United States for at least two years continuously immediately preceding the date of the filing of the petition and that to the best of the witness' knowledge and belief the said child is qualified to become a citizen of the United States. At the hearing on the petition, the facts of the child's residence and the other qualifications described in section 307 (a) of the Nationality Act of 1940, shall be proved by the oral testimony of at least two credible witnesses who are citizens of the United States as required by section 309 (b) of the said act. The child's racial eligibility and ability to speak the English language shall be established by such evidence as may be satisfactory to the naturalization court. Before being admitted to citizenship the child in whose behalf the petition is filed shall take the oath prescribed by section 335 of said act, except that such oath may be waived by the naturalization court if, in the opinion of the court, the child is too young to understand the meaning of such oath. (Secs. 309, 316, 335, 54 Stat. 1143, 1146, 1157; 8 U. S. C. 709, 716, 735)

**§ 324.3 A child under the age of 18 years who was formerly a citizen of the United States and who lost such citizenship through the cancellation of a parent's naturalization.** A person who, as a minor child, lost United States citizenship through the cancellation of its parent's naturalization, may be naturalized if under the age of 18 years on petition of a parent or guardian to the naturalization court within whose jurisdiction the child resides. No declaration of intention shall be required. A period of at least six months' continuous residence within the State of the child's residence immediately preceding the date of the petition, and at least five years' residence within the United States shall be required, but such required residence in the United States need not be continuous. A certificate of arrival shall be filed with the petition. There shall be included in the petition the affidavits of at least two credible witnesses, citizens of the United States, stating that each has personally known the child to have been a resident of the State in which such petition is filed during the entire period of at least six months continuously immediately preceding the date of the filing of the petition, and in the United States for an aggregate period of at least five years preceding the date of the petition, and that to the best of the witness' knowledge and belief the said child is qualified to become a citizen of the United States. At the hearing on the petition, the facts of the child's residence and the other qualifications described in section 307 (a) of the Nationality Act of 1940, shall be proved by the oral testimony of at

least two credible witnesses who are citizens of the United States as required by section 309 (b) of the said act. In addition to the qualifications herein set out, it shall be established by any evidence satisfactory to the naturalization court that the child in whose behalf the petition for naturalization is filed was residing in the United States at the time such child lost citizenship through the cancellation of a parent's naturalization; that prior to such cancellation such child actually was a citizen of the United States; and that the petition for naturalization filed in behalf of such child was filed within two years after the date of the cancellation of the parent's certificate or within two years after the effective date of the Nationality Act of 1940. (For petition of such a child who is over 18 years of age, see § 330.5 of this chapter.) (Secs. 309, 319, 335, 54 Stat. 1143, 1148, 1157; 8 U. S. C. 709, 719, 735)

**§ 324.4 Petitions for naturalization filed in behalf of children; procedure.** Applications for certificates of arrival and to file petitions for naturalization in behalf of children described in §§ 324.1, 324.2, and 324.3 shall be made on Form N-402, which shall be executed by the petitioning citizen parent, parents, or guardian, as may be appropriate, and submitted, with three photographs of the child for whom naturalization is sought, to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. Such photographs shall conform to the requirements of Part 364 of this chapter, and shall be signed by the child if the child is able to sign its name. The fee of \$8 for filing the petition shall be paid to the clerk of the naturalization court. Such petition shall be executed in duplicate on Form N-407, numbered consecutively with other petitions, and the original petition shall be bound in chronological order by the clerk of court in the regular volume of petitions for naturalization of each court. If the child is unable to sign its name, the photographs and certificate of naturalization shall be signed by the petitioning citizen parent, parents, or guardian, as may be appropriate, and the signature shall read "(insert name of petitioning parent, parents, or guardian) in behalf of (insert name of naturalized child)". (Secs. 330, 342 (a) (2), 54 Stat. 1152, 1161, 58 Stat. 755; 8 U. S. C. and Sup., 730, 742 (a))

#### PART 325—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: ALIENS ARRIVING IN UNITED STATES PRIOR TO SIXTEENTH BIRTHDAY

Sec.

- 325.1 Persons eligible.
- 325.2 Procedural requirements.
- 325.3 Proof of requirements.

**AUTHORITY:** §§ 325.1 to 325.3, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 325.1 to 325.3, inclusive, interpret and apply secs. 1, 2, 54 Stat. 715; 8 U. S. C., Sup., 720a.

**§ 325.1 Persons eligible.** Any alien, eligible to citizenship, who lawfully entered the United States for permanent residence when less than 16 years of age, may be naturalized upon compliance with

all the requirements of the naturalization laws except that no declaration of intention shall be required. The petition for naturalization shall be filed within one year after such alien attains the age of 21 years.

**§ 325.2 Procedural requirements.** An application to file a petition for naturalization under § 325.1 shall be made on Form N-400 and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The petition shall be filed on Form N-405 in accordance with the requirements of Part 370 of this chapter. Form N-405 shall be altered by the clerk of court as provided in § 361.7 (a) of this chapter. The petition shall be further altered by the clerk of court by inserting immediately after averment 12, the words "Filed under the act of July 2, 1940."

**§ 325.3 Proof of requirements.** Verification of the petition for naturalization and proof of residence and the other requirements prescribed by § 325.1 shall be made in the manner provided by Parts 370 and 373 of this chapter. In addition, the petitioner shall prove, by any evidence satisfactory to the naturalization court, that he was under the age of 16 years at the time of his lawful entry to the United States for permanent residence and that his petition was filed within one year after he had attained the age of 21 years. In presenting proof of his age, the petitioner shall be entitled to the benefit of any records concerning him which are in the custody of the Service.

#### PART 326—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: SPOUSES OF UNITED STATES CITIZENS

Sec.

- 326.1 Alien who after September 21, 1922, and prior to May 24, 1934, has married a citizen of the United States, or alien who married prior to May 24, 1934, a spouse who was naturalized during such period, and during the continuance of the marital status.
- 326.2 Alien who, on or after May 24, 1934, has married a citizen of the United States, or any alien whose spouse was naturalized on or after May 24, 1934, and during the continuance of the marital status.
- 326.3 Alien who on January 13, 1941, is married to or thereafter marries a citizen of the United States, or whose spouse is naturalized after January 13, 1941.
- 326.4 Alien whose citizen spouse is in the employment of the United States Government, or of an American institution of research, or an American firm or corporation engaged in the development of foreign trade and commerce of the United States.
- 326.5 Procedural requirements.
- 326.6 Age.

**AUTHORITY:** §§ 326.1 to 326.6, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 326.1 Alien who after September 21, 1922, and prior to May 24, 1934, has married a citizen of the United States, or alien who married prior to May 24, 1934,**

## RULES AND REGULATIONS

*a spouse who was naturalized during such period, and during the continuance of the marital status. An alien who, after September 21, 1922, and prior to May 24, 1934, married a citizen of the United States, or an alien who married prior to May 24, 1934, a spouse who was naturalized during such period and during the continuance of the marital status, may be naturalized upon compliance with all the requirements of the naturalization laws, with the following exceptions: (a) No declaration of intention shall be required; and (b) but one year's continuous residence in the United States immediately preceding the filing of the petition for naturalization shall be required in lieu of the five-year period of residence within the United States and the six months' period of residence within the State. (Sec. 310 (a), 54 Stat. 1144; 8 U. S. C. 710 (a))*

*§ 326.2 Alien who, on or after May 24, 1934, has married a citizen of the United States, or any alien whose spouse was naturalized on or after May 24, 1934, and during the continuance of the marital status. An alien who, on or after May 24, 1934, has married or shall marry a citizen of the United States, or an alien whose spouse was naturalized on or after May 24, 1934, and during the continuance of the marital status, may be naturalized upon compliance with all the requirements of the naturalization laws, with the following exceptions: (a) No declaration of intention shall be required; and (b) but three years' continuous residence in the United States immediately preceding the filing of the petition for naturalization, shall be required in lieu of the five-year period of residence within the United States and the six months' period of residence within the State. (Sec. 310 (b), 54 Stat. 1144; 8 U. S. C. 710 (b))*

*§ 326.3 Alien who on January 13, 1941, is married to or thereafter marries a citizen of the United States, or whose spouse is naturalized after January 13, 1941. An alien who on January 13, 1941, is married to, or thereafter marries a citizen of the United States, or whose spouse is naturalized after January 13, 1941, and who shall have resided in the United States in marital union with the citizen spouse for at least one year immediately preceding the filing of the petition for naturalization, may be naturalized upon compliance with all the requirements of the naturalization laws, with the following exceptions: (a) No declaration of intention shall be required; and (b) at least two years' continuous residence in the United States immediately preceding the petition for naturalization shall be required in lieu of the five-year period of residence within the United States and the six months' period of residence within the State. (Sec. 311, 54 Stat. 1145; 8 U. S. C. 711))*

*§ 326.4 Alien whose citizen spouse is in the employment of the United States Government, or of an American institution of research, or an American firm or corporation engaged in the development of foreign trade and commerce of the United States. An alien whose citizen spouse is in the employment of the*

United States Government, or of an American institution of research recognized as such by the Attorney General, or an American firm or corporation engaged in the development of the foreign trade and commerce of the United States, and whose citizen spouse is regularly stationed abroad in such employment, may be naturalized upon full compliance with all requirements of the naturalization laws, with the following exceptions: (a) No declaration of intention shall be required; and (b) no prior residence within the United States or within the jurisdiction of the naturalization court shall be required. Such an alien shall declare in good faith an intention to take up permanent residence within the United States immediately upon the termination of such employment abroad of the citizen spouse. (Sec. 312, 54 Stat. 1145; 8 U. S. C. 712)

*§ 326.5 Procedural requirements. An alien desiring to file a petition for naturalization under § 326.1, § 326.2, § 326.3, or § 326.4 shall make application on Form N-400 and shall submit such application to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. A petition for naturalization filed under any such section shall be filed on Form N-406. No period of residence within the State shall be required, but the petition shall be verified at the time it is filed by at least two credible citizen witnesses, who shall state in their affidavits the period of time they have known the petitioner, and that such petitioner is a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States. Depositions may be used to prove any portion of the required period of residence and the other qualifications required to be proved. In the case of a petition filed under § 326.4, by an alien whose spouse is employed abroad by an American institution of research, the appropriate field officer will, prior to the final hearing of such petition, ascertain from the Attorney General whether the specified institution is recognized as an American institution of research by the Attorney General. (Secs. 309 (a), (b), 310, 311, 312, 54 Stat. 1143, 1144, 1145; 8 U. S. C. 709, 710, 711, 712)*

*§ 326.6 Age. No petition for naturalization under this part shall be opposed on the sole ground of the petitioner's age. (Secs. 310, 311, 312, 54 Stat. 1144, 1145; 8 U. S. C. 710, 711, 712)*

**PART 330—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: FORMER UNITED STATES CITIZENS**

**Sec.**

330.1 Person who prior to September 22, 1922, lost United States citizenship by marriage to an alien or by the spouse's loss of United States citizenship, and any person who lost United States citizenship on or after September 22, 1922, by marriage to an alien ineligible to citizenship.

330.2 Woman restored to citizenship by the act of June 25, 1936, as amended by the act of July 2, 1940.

**Sec.**  
330.3 A woman, citizen of the United States at birth, who lost or is believed to have lost her United States citizenship solely by marriage prior to September 22, 1922, to an alien, and whose marriage to such alien terminates on or after January 13, 1941.

330.4 Former citizen of the United States expatriated through the expatriation of such person's parent or parents.

330.5 Person who, as a minor child, lost citizenship of the United States through cancellation of the parent's naturalization, or a person who shall lose citizenship on or after January 13, 1941, under section 338 of the Nationality Act of 1940.

330.6 Person who lost citizenship of the United States through service in one of the Allied Armies during the First or Second World War.

330.7 Person who shall have lost citizenship of the United States by entering or serving in the armed forces of a foreign state, if he has or acquires the nationality of such foreign state.

330.8 Procedure.

330.9 Person who lost citizenship of the United States through voting in a political election in a country not at war with the United States during World War II.

**AUTHORITY:** §§ 330.1 to 330.9, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

*§ 330.1 Person who prior to September 22, 1922, lost United States citizenship by marriage to an alien or by the spouse's loss of United States citizenship, and any person who lost United States citizenship on or after September 22, 1922, by marriage to an alien ineligible to citizenship. A person described in section 317 (a) of the Nationality Act of 1940, who has not acquired the nationality of another country by an affirmative act other than marriage to an alien, may be naturalized, notwithstanding the race of such person, upon compliance with all the other requirements of the naturalization laws, except that no declaration of intention, no certificate of arrival, and no period of residence within the United States or within the State where the petition is filed shall be required. The petition may be filed in any naturalization court regardless of the residence of the petitioner. The petition need not set forth that it is the intention of the petitioner to reside permanently in the United States. The petition may be heard immediately provided a certificate from a naturalization examiner is attached to the petition as provided in § 373.5 of this chapter. (Sec. 303, 54 Stat. 1140, 57 Stat. 601, 60 Stat. 416, sec. 317 (a), 54 Stat. 1146; 8 U. S. C. and Sup., 703, 717 (a))*

*§ 330.2 Woman restored to citizenship by the act of June 25, 1936, as amended by the act of July 2, 1940. Any woman who was restored to citizenship by the act of June 25, 1936, as amended by the act of July 2, 1940, but who failed to take the oath of allegiance prescribed by the naturalization laws prior to January 13, 1941, may take such oath be-*

fore any naturalization court on or after January 13, 1941. Preliminary application to take the oath shall be made in the same manner as provided in § 330.3, and the application to the clerk of court shall be in triplicate on Form N-415. The original of Form N-415 shall be retained as a part of the court record, and the duplicate and triplicate copies forwarded to the appropriate district director or divisional director, unless the applicant shall demand a certified copy of the proceedings, in which case the clerk of court shall furnish her the triplicate Form N-415, properly certified, for which a fee of not to exceed \$1 may be charged. No charge shall be made by the clerk of court for filing Form N-415. (49 Stat. 1917, 54 Stat. 715, sec. 347 (a), 54 Stat. 1168; 8 U. S. C. 9a, 747 (a))

§ 330.3 *A woman, citizen of the United States at birth, who lost or is believed to have lost her United States citizenship solely by marriage prior to September 22, 1922, to an alien, and whose marriage to such alien terminates on or after January 13, 1941.* A woman described in section 317 (b) of the Nationality Act of 1940, if she has acquired no other nationality by affirmative act, may be naturalized by taking the oath of allegiance prescribed by section 335 of the Nationality Act of 1940. Such oath may be taken before the judge or clerk of any naturalization court, regardless of the applicant's place of residence. Preliminary application to take the oath shall be made on Form N-401 and submitted to the the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The eligibility of an applicant to take the oath shall be investigated by a member of the Service and appropriate recommendation made to the naturalization court. The application to the court shall be made on Form N-408, in triplicate. The original of Form N-408 shall be retained as a part of the court record and the duplicate forwarded to the appropriate district director with duplicates of other naturalization papers filed and issued. The clerk of court shall furnish to the applicant, upon her demand, the triplicate Form N-408, properly certified, for which a fee not to exceed \$1 may be charged. No charge shall be made by the clerk of court for the filing of Form N-408. In case the applicant does not demand the triplicate Form N-408, it shall be transmitted to the appropriate district director with the duplicate of said form. (Sec. 317 (b), 54 Stat. 1146; 8 U. S. C. 717 (b))

§ 330.4 *Former citizen of the United States expatriated through the expatriation of such person's parent or parents.* A person described in section 318 (a) of the Nationality Act of 1940, who has not acquired the nationality of another country by an affirmative act other than the expatriation of his parent or parents, may be naturalized upon filing a petition for naturalization before reaching the age of 25 years. He must comply with all of the requirements of the naturalization laws except that no declaration of intention, no certificate of arrival, and no period of residence within the United States or in a State shall be required.

The petition may be filed in any naturalization court regardless of the residence of the petitioner and may be heard immediately, provided a certificate from a naturalization examiner is attached to the petition as provided in § 373.5 of this chapter. Proof that the petitioner was at the time of filing the petition for naturalization and at the time of the final hearing thereon a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States, and that he intends to reside permanently in the United States, shall be made by any means satisfactory to the naturalization court. (Sec. 318 (a), 54 Stat. 1147; 8 U. S. C. 718 (a))

§ 330.5 *Person who, as a minor child, lost citizenship of the United States through cancellation of the parent's naturalization or a person who shall lose citizenship on or after January 13, 1941, under section 338 of the Nationality Act of 1940.* In the case of a petitioner for naturalization under section 319 of the Nationality Act of 1940, the cancellation of the parent's naturalization shall be shown by the petitioner to have been upon grounds other than actual fraud or presumptive fraud as specified in the second paragraph of section 15 of the act of June 29, 1906, as amended (34 Stat. 601; 40 Stat. 544). Such person, if he resided in the United States at the time of such cancellation, may file a petition for naturalization in his own behalf if over the age of 18 years. If such person is under the age of 18 years, a petition for naturalization may be filed in such person's behalf by a parent or guardian as described in Part 324 of this chapter. The petition for naturalization shall be filed within two years after such cancellation or within two years after January 13, 1941. The petitioner shall comply with all the requirements of the naturalization laws, except that no declaration of intention shall be required and the required five-year period of residence in the United States need not be continuous. (Sec. 319, 54 Stat. 1148; 8 U. S. C. 719)

§ 330.6 *Person who lost citizenship of the United States through service in one of the Allied Armies during the First or Second World War.* A person who, while a citizen of the United States and during the First or Second World War, entered the military or naval service of any country at war with a country with which the United States was or is at war, who lost citizenship of the United States by reason of any oath or obligation taken for the purpose of entering such service, or by reason of entering or serving in such armed forces, and who intends to reside permanently in the United States, may be naturalized by taking the oath of renunciation and allegiance specified in section 335 of the Nationality Act of 1940. For the purposes of this section, the Second World War shall be deemed to have commenced on September 1, 1939, and shall continue until such time as the United States shall cease to be in a state of war. Such oath may be taken before any naturalization court, and any person described in this section who has lost United States citizenship during the Sec-

ond World War may also take the oath before any diplomatic or consular officer of the United States abroad. Application to take such oath before the court shall be made on Form N-409 which shall be executed in quadruplicate and shall be given a regular petition for naturalization number by the clerk of court. The original of Form N-409 shall be retained by the clerk of court as the court record and the duplicate, triplicate, and quadruplicate shall be forwarded to the appropriate district director. The district director shall retain the quadruplicate and forward the duplicate and triplicate Form N-409 to the Commissioner who will transmit the triplicate to the Department of State. The taking of such oath before a diplomatic or consular officer abroad shall be in accordance with such regulations as may be prescribed by the Department of State. Any person who has been naturalized a citizen of the United States under this section may make application for a certificate of naturalization in the manner provided in Part 378 of this chapter. (Sec. 323, 54 Stat. 1149, 56 Stat. 198, sec. 335, 54 Stat. 1157; 8 U. S. C. and Sup., 723, 735)

§ 330.7 *Person who shall have lost citizenship of the United States by entering or serving in the armed forces of a foreign state, if he has or acquires the nationality of such foreign state.* A person who shall have been a citizen of the United States and also a national of a foreign state, and who shall have lost his citizenship of the United States under the provisions of section 401 (c) of the Nationality Act of 1940, may be naturalized, notwithstanding his race, upon compliance with all of the other requirements of the naturalization laws except that no declaration of intention, no certificate of arrival, and no period of residence in the United States or within the State where the petition is filed shall be required. The petitioner shall set forth in his petition that it is his intention to reside permanently in the United States. The petition may be filed in any naturalization court, regardless of the residence of the petitioner. The petition may be heard immediately provided a certificate from a naturalization examiner is attached to the petition as provided in § 373.5 of this chapter. (Sec. 303, 54 Stat. 1140, 57 Stat. 601, 60 Stat. 416, secs. 317 (a), (c), 401 (c), 54 Stat. 1146, 1147, 1169; 8 U. S. C. and Sup., 703, 717 (a), (c), 801 (c))

§ 330.8 *Procedure.* An alien desiring to file a petition for naturalization under § 330.1, § 330.4, § 330.5, or § 330.7 shall make application on Form N-400 and shall submit it to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. A petition for naturalization filed under any such section shall be filed on Form N-405.

§ 330.9 *Person who lost citizenship of the United States through voting in a political election in a country not at war with the United States during World War II.* A person who, while a citizen of the United States and prior to August 7, 1946, lost citizenship of the United States by voting in a political election in a foreign state other than a state at war

## RULES AND REGULATIONS

with the United States during World War II may be naturalized by taking the oath of renunciation and allegiance specified in section 335 of the Nationality Act of 1940 before August 7, 1947. For the purposes of this section, World War II shall be deemed to have commenced on September 1, 1939, and shall continue until such time as the United States shall cease to be in a state of war. Such oath may be taken before any naturalization court or, if the person is abroad, before any diplomatic or consular officer of the United States. Application to take such oath before a court shall be made on Form N-413, which shall be executed in quadruplicate and shall be given a regular petition for naturalization number by the clerk of court. The original of Form N-413 shall be retained by the clerk of court as the court record, and the duplicate, triplicate, and quadruplicate shall be forwarded to the appropriate district director. The district director shall retain the quadruplicate and forward the duplicate and triplicate Form N-413 to the Commissioner, who will transmit the triplicate to the Department of State. The taking of such oath before a diplomatic or consular officer abroad shall be in accordance with such regulations as may be prescribed by the Department of State. Any person who has been naturalized under this section shall have, from and after naturalization under this section, the same citizenship status as that which existed immediately prior to its loss and may make application for a certificate of naturalization in the manner provided in Part 378 of this chapter. (Sec. 323, 54 Stat. 1149, 56 Stat. 198, 60 Stat. 866, sec. 335, 54 Stat. 1157; 8 U. S. C. and Sup., 723, 735)

**PART 332—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: PERSONS MISINFORMED AS TO THEIR CITIZENSHIP STATUS**

## Sec.

332.1 Persons eligible.

332.2 Preliminary application and petition for naturalization.

332.3 Proof of requirements.

**AUTHORITY:** §§ 332.1 to 332.3, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 332.1 to 332.3, inclusive, interpret and apply sec. 320, 54 Stat. 1148; 8 U. S. C. 720.

**§ 332.1 Persons eligible.** A person, not an alien enemy, who resided uninterruptedly within the United States during the period of five years next preceding July 1, 1920, and who was on that date otherwise qualified to become a citizen of the United States except that such person had not made a declaration of intention required by law, and who during or prior to that time, because of misinformation regarding his citizenship status, erroneously exercised the rights and performed the duties of a citizen of the United States in good faith, may file a petition for naturalization without having made a preliminary declaration of intention. Such petitioner shall be required to comply with all of the other requirements of the naturalization laws.

**§ 332.2 Preliminary application and petition for naturalization.** Preliminary

application by a person described in § 332.1 to file a petition for naturalization shall be made on Form N-400, in the manner prescribed by § 370.1 of this chapter. The petition shall be filed in accordance with the requirements of Part 370 of this chapter. In addition, the petitioner shall execute in triplicate an affidavit on Form N-420 before either a representative of the Service or the clerk of the naturalization court, and the original and duplicate thereof shall be attached to the original and duplicate petitions for naturalization, respectively, at the time the petition is filed, and the triplicate copy of Form N-420 shall be retained by the field office.

**§ 332.3 Proof of requirements.** Verification of the petition for naturalization and proof of residence and the other requirements prescribed by § 332.1 shall be made in the manner provided by Parts 370 and 373 of this chapter. In addition, the petitioner shall prove, by any evidence satisfactory to the naturalization court, the misinformation regarding his citizenship status and the exercise by him of the rights and the performance of the duties of a citizen of the United States in good faith because of such misinformation, during or prior to the five-year period next preceding July 1, 1920.

**PART 334—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: VETERANS OF THE UNITED STATES ARMED FORCES**

## Sec.

334.1 Veterans who have served in United States armed forces for three years; exemptions and fees.

334.2 Where service was continuous.

334.3 Where service was not continuous.

334.4 Where petition for naturalization is filed more than six months after termination of service.

334.5 Procedure.

**AUTHORITY:** §§ 334.1 to 334.5, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 334.1 to 334.5, inclusive, interpret and apply sec. 324, 54 Stat. 1149, 60 Stat. 417; 8 U. S. C. and Sup., 724.

**§ 334.1 Veterans who have served in United States armed forces for three years; exemptions and fees.** A person, including a native-born Filipino, who has served honorably at any time in the United States Army, Navy, Marine Corps, or Coast Guard for a period or periods aggregating three years, and who, if separated from such service, was separated under honorable conditions, may be naturalized, subject to the provisions of §§ 334.2 to 334.5, inclusive. A petitioner for naturalization under this section shall pay the usual fee for filing a petition for naturalization, except that during the time the United States is at war, no clerk of a United States court shall charge or collect a naturalization fee from such petitioner for filing a petition or issuing a certificate of naturalization if the petitioner is in the military or naval service of the United States, and no clerk of any State court shall charge or collect any such fee unless the laws of such State require the charge to be made, in which case only the portion of the fee required to be paid to the State shall be charged or collected.

**§ 334.2 Where service was continuous—(a) Applicant who files petition while still in service.** A person described in § 334.1, whose service in the armed forces described therein has been continuous, may, while still in such service, file a petition for naturalization in any naturalization court, without regard to his place of residence, and without having resided continuously in the United States for at least five years and in the State where the petition is filed for at least six months, immediately preceding such filing. No certificate of arrival and no declaration of intention shall be required to be filed with the petition. The petition shall be verified, but for no specified period of time, by at least two witnesses, citizens of the United States, as provided in § 370.4 of this chapter, and the verifying witnesses shall also testify at the final hearing unless excused as provided in § 373.2 of this chapter. Such petition may be heard immediately if (1) the petitioner be then actually in such armed forces, and (2) before the filing of the petition, the applicant and at least two verifying witnesses, citizens of the United States, who shall identify the applicant as the person who rendered the service upon which the petition is to be based, have appeared before and been examined by a representative of the Immigration and Naturalization Service, and (3) a certificate of such examination on Form N-440 is filed with the petition in accordance with § 373.5 of this chapter. At the time the petition for naturalization is filed, the petitioner shall present duly authenticated copies of the records of the executive departments having custody of the records covering the petitioner's service in the United States Army, Navy, Marine Corps, or Coast Guard, which copies must show the period or periods of such service and that it was performed under honorable conditions. Such duly authenticated copies of service records shall be accepted as proof of the good moral character, attachment to the principles of the Constitution of the United States of America, and favorable disposition toward the good order and happiness of the United States of the petitioner for the periods of such service.

**(b) Applicant who files petition after leaving service but within six months.** If the petitioner has been separated from such service prior to filing his petition for naturalization, but files his petition for naturalization within six months after the termination of such service, he shall be entitled to the same exemptions from residence in the United States and State, and within the jurisdiction of the naturalization court, and from filing with his petition for naturalization a certificate of arrival and a declaration of intention as the petitioner described in paragraph (a) of this section. But the petitioner under this paragraph shall prove his residence, good moral character, attachment to the principles of the Constitution of the United States, and his favorable disposition toward the good order and happiness of the United States for the period from the date of his separation from such service to the date of the filing of his petition for naturalization, and from the latter date to the date of his

admission to citizenship, by the affidavits and testimony of at least two citizen witnesses, in the manner provided in §§ 370.4 and 373.2 of this chapter. A petitioner under this paragraph shall not be entitled to an immediate hearing upon his petition, but only after the expiration of at least 30 days after the petition is filed, in accordance with the provisions of section 334 (c) of the Nationality Act of 1940.

**§ 334.3. Where service was not continuous.** A person described in § 334.1, whose service was not continuous, shall be entitled to all of the exemptions set forth in § 334.2 (a) (including an immediate hearing if still in the service), if he files a petition for naturalization while still in such service or within six months after honorable separation therefrom, except that such petitioner must establish his continuous residence, good moral character, attachment to the principles of the Constitution of the United States, and favorable disposition toward the good order and happiness of the United States, for the period of five years at least immediately preceding the filing of his petition, and from the date of filing his petition to the date of the final hearing thereon. Proof of such qualifications for the periods during which the petitioner was actually in such service shall be made as provided in § 334.2 (a). As to any part or parts of the five-year period immediately preceding the filing of the petition for naturalization, and as to the period between the date of the filing of the petition and the final hearing thereon, between the periods of the petitioner's service in the United States Army, Navy, Marine Corps, or Coast Guard, such proof must be made by the affidavits and testimony of at least two citizen witnesses, for each such period, as set forth in §§ 370.4 and 373.2, respectively, of this chapter.

**§ 334.4 Where petition for naturalization is filed more than six months after termination of service.** Where an alien has performed the service specified in § 334.1, but fails to file a petition for naturalization while still in such service or within six months after the termination of such service, he shall not be entitled to any of the exemptions set forth in § 334.2, except that such a petitioner for naturalization may prove his good moral character, attachment to the principles of the Constitution of the United States, and favorable disposition toward the good order and happiness of the United States, for any period or periods, during the five-year period immediately preceding the filing of the petition, of service specified in § 334.1, by the production of duly authenticated copies of the records of the executive departments having custody of the records of such service, as described in such section, in lieu of affidavits and testimony or depositions of witnesses for the period or periods of such service.

**§ 334.5 Procedure.** An application to file a petition for naturalization under §§ 334.2, 334.3, and 334.4 shall be made on Form N-400 and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The petition for naturalization shall be

filed on Form N-405. There shall be attached to the original of every petition for naturalization filed under any of such sections, an affidavit of the petitioner, sworn to before the clerk of court or a member of the Service on Form N-421, fully setting forth the periods and the description of his service in the United States Army, Navy, Marine Corps, or Coast Guard. Such Form N-421 shall be filed with and made a part of the petition for naturalization at the time such petition is filed. The duplicate and triplicate executed copies of Form N-421 shall be attached to the duplicate and triplicate petitions for naturalization, respectively.

**PART 335—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: ALIEN ENEMIES**

**Sec.**

- 335.1 Alien enemy defined.
- 335.2 Naturalization of alien enemies; exceptions.
- 335.3 Final hearing of petition; notice by clerk of court; effect of objection; waiver of notice.
- 335.4 Investigation.
- 335.5 Exception from alien enemy classification.
- 335.6 Filing of declarations of intention and petitions for naturalization by alien enemies.

**AUTHORITY:** §§ 335.1 to 335.6, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 335.1 to 335.6, inclusive, interpret and apply sec. 326, 54 Stat. 1150, sec. 703, 56 Stat. 183; 8 U. S. C. and Sup., 726, 1003; E. O. 9372, Aug. 27, 1943, 8 F. R. 11887.

**§ 335.1 Alien enemy defined.** An alien who is a native, citizen, subject, or denizen of any country, state, or sovereignty with which the United States is at war, shall be considered an alien enemy for the purposes of the naturalization laws. A native of such an enemy country who subsequent to birth has become a citizen or subject of a nation with which the United States is not at war shall nevertheless be considered as an alien enemy.

**§ 335.2 Naturalization of alien enemies; exceptions.** An alien enemy as defined in § 335.1, who is otherwise entitled to naturalization except for the fact that he is an alien enemy, may be naturalized if his declaration of intention was made not less than two years nor more than seven years before the date of the beginning of the war mentioned in § 335.1, or if such alien was entitled upon such date to become a citizen of the United States without having made a declaration of intention, or if his petition for naturalization shall be pending upon such date. Such alien must conform to all of the other applicable provisions of the naturalization laws.

**§ 335.3 Final hearing of petition; notice by clerk of court; effect of objection; waiver of notice.** (a) An alien enemy who comes within one or more of the classes set forth in § 335.2 and who has not been granted a waiver of the 90 days' notice as provided in paragraph (b) of this section, shall not have his petition for naturalization called for a hearing, or heard, except after 90 days' notice to the Commissioner of

Immigration and Naturalization to be represented at the hearing. Such notice shall be given to the Commissioner through the appropriate district director of Immigration and Naturalization by the clerk of the court in which the petition is filed. The Commissioner's objection to such final hearing shall cause the petition to be continued from time to time for so long as the Commissioner may require. The objection by the Commissioner to the hearing of such a petition shall be presented to the court by the appropriate district director of immigration and naturalization acting for and on behalf of the Commissioner. Once an objection to such final hearing has been made within 90 days by the Commissioner through the district director, the petition shall be continued until such objection has been withdrawn.

(b) The district director of immigration and naturalization may, in his discretion and upon the request of the petitioner, waive the 90 days' notice required by paragraph (a) of this section. Such waiver may be granted at any time after the petition has been filed and either before or after the clerk's notice has been given and the 90-day period has commenced. Where a petitioner requests a waiver of the 90 days' notice, the case shall be investigated in accordance with § 335.4 and submitted by the naturalization officer or examiner to the district director with a recommendation as to whether a waiver should be granted. If a waiver is granted, notice thereof shall be executed by the district director on Form N-424 and filed with the clerk of the naturalization court. One copy of Form N-424 shall be retained in the field office file and one copy forwarded to the Central Office.

**§ 335.4 Investigation.** A thorough investigation shall be made in the case of every alien enemy whose petition for naturalization may be listed for final hearing. If as a result of such investigation, the district director is satisfied of the loyalty to the United States of the petitioner and that the petitioner is in every way qualified for citizenship, no objection shall be made to the naturalization of the petitioner solely upon the ground that such petitioner is an alien enemy. If it is necessary, in order to preserve the right to have such petition continued as provided in § 335.3, to interpose objection to final hearing before completion of the investigation, such objection may be withdrawn if the result of the investigation is satisfactory in the above respects.

**§ 335.5 Exception from alien enemy classification.** (a) An alien enemy who does not come within one or more of the classes described in § 335.2 and who has filed a petition for naturalization may, in the discretion of the President of the United States, be excepted from such classification of alien enemy, whereupon he shall have the privilege of having a final hearing upon his petition for naturalization. The President of the United States has ordered excepted from the classification of alien enemy all persons whom the Attorney General, the Commissioner of Immigration and Naturali-

zation, or any district director of the Immigration and Naturalization Service shall, after investigation fully establishing their loyalty, certify as persons loyal to the United States. Application for such exception shall be made on Form N-436 and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. Thereupon the district director shall cause a full and complete investigation to be made of the loyalty of such applicant. If, after such investigation, the district director is satisfied of the loyalty to the United States of the petitioner, he shall issue a certificate of loyalty on Form N-438 in triplicate, the original to be filed in the appropriate naturalization court, one copy to be retained in the field office file, and one copy to be transmitted to the Central Office. The clerk of the naturalization court need not file the certificate of loyalty with and make it a part of the petition for naturalization but may file it in some other orderly manner. Where an application for exception from the classification of alien enemy is denied by the district director, the entire file shall immediately be forwarded to the Central Office with a brief statement of the grounds on which such denial is based.

(b) An alien enemy who has been certified as a person loyal to the United States in the manner prescribed in the preceding paragraph shall have the privilege of having a final hearing upon his petition for naturalization without being subject to the provisions of §§ 335.3 and 335.4.

**§ 335.6 Filing of declarations of intention and petitions for naturalization by alien enemies.** Nothing in this part shall be deemed to preclude the filing of a declaration of intention or a petition for naturalization by an alien enemy. No such petition for naturalization shall be finally heard, however, except in compliance with the provisions of this part.

#### PART 337—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: SEAMEN

Sec.

- 337.1 Persons who have served on United States Government, or merchant vessels; exemptions and fees.
- 337.2 Where service was continuous.
- 337.3 Where service was not continuous.
- 337.4 Where petition for naturalization is filed more than six months after termination of service.
- 337.5 Procedure.

**AUTHORITY:** §§ 337.1 to 337.5, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675, 8 U. S. C. 727, 458; 8 CFR. 90.1. §§ 337.1 to 337.5, inclusive, interpret and apply sec. 325, 54 Stat. 1150; 8 U. S. C. 725.

**§ 337.1 Persons who have served on United States Government or merchant vessels; exemptions and fees.** A person who has served honorably or with good conduct for an aggregate period of at least five years (a) on board of any vessel of the United States Government other than in the United States Navy, Marine Corps, or Coast Guard, or (b) on board of vessels of more than twenty tons burden, whether or not documented under the laws of the United States, and whether

public or private, which are not foreign vessels and whose home port is in the United States, may be naturalized, subject to the provisions of §§ 337.2 to 337.5, inclusive. A petitioner for naturalization under this section shall pay the usual fee for filing a petition for naturalization.

**§ 337.2 Where service was continuous—**(a) *Applicant who files petition while still in service.* A person described in § 337.1, whose service described therein has been continuous, may, while still in such service, file a petition for naturalization in any naturalization court, without regard to his place of residence, and without having resided continuously in the United States for at least five years and in the State where the petition is filed for at least six months, immediately preceding such filing. No certificate of arrival and no declaration of intention shall be required to be filed with the petition. The petition shall be verified, but for no specified period of time, by at least two witnesses, citizens of the United States, as provided in § 370.4 of this chapter, and the verifying witnesses shall also testify at the final hearing unless excused as provided in § 373.2 of this chapter. Such petition may be heard immediately if (1) the petitioner be then actually in such service, and (2) before the filing of the petition, the applicant and at least two verifying witnesses, citizens of the United States, who shall identify the applicant as the person who rendered the service upon which the petition is to be based, have appeared before and been examined by a representative of the Immigration and Naturalization Service, and (3) a certificate of such examination on Form N-440 is filed with the petition in accordance with § 373.5 of this chapter. At the time the petition for naturalization is filed, the applicant shall present duly authenticated copies of the records of the executive departments having custody of the records covering the petitioner's service if it was on a vessel of the United States Government, which copies must show the period or periods of such service and that it was performed under honorable conditions, or discharge showing service with good conduct if service was on a vessel other than a vessel of the United States Government. Such duly authenticated copies of service records and discharges shall be accepted as proof of the good moral character, attachment to the principles of the Constitution of the United States of America, and favorable disposition toward the good order and happiness of the United States of the petitioner for the periods of such service.

(b) *Applicant who files petition after leaving service but within six months.* If the petitioner has been separated from such service prior to filing his petition for naturalization, but files his petition for naturalization within six months after the termination of such service, he shall be entitled to the same exemptions from residence in the United States and State, and within the jurisdiction of the naturalization court, and from filing with his petition for naturalization a certificate of arrival and a declaration of intention as the petitioner described

in paragraph (a) of this section. But the petitioner under this paragraph shall prove his residence, good moral character, attachment to the principles of the Constitution of the United States, and his favorable disposition toward the good order and happiness of the United States for the period from the date of his separation from such service to the date of the filing of his petition for naturalization, and from the latter date to the date of his admission to citizenship, by the affidavits and testimony of at least two citizen witnesses, in the manner provided in §§ 370.4 and 373.2 of this chapter. A petitioner under this paragraph shall not be entitled to an immediate hearing upon his petition, but only after the expiration of at least 30 days after the petition is filed, in accordance with the provisions of section 334 (c) of the Nationality Act of 1940.

**§ 337.3 Where service was not continuous.** A person described in § 337.1, whose service was not continuous, shall be entitled to all of the exemptions set forth in § 337.2 (including an immediate hearing if still in the service), if he files a petition for naturalization while still in such service or within six months after honorable separation, or separation with good conduct, therefrom, except that such petitioner must establish his continuous residence, good moral character, attachment to the principles of the Constitution of the United States, and favorable disposition toward the good order and happiness of the United States, for the period of five years at least immediately preceding the filing of his petition, and from the date of filing his petition to the date of the final hearing thereon. Proof of such qualifications for the periods during which the petitioner was actually in such service shall be made as provided in § 337.2. As to any part or parts of the five-year period immediately preceding the filing of the petition for naturalization, and as to the period between the date of the filing of the petition and the final hearing thereon, between the periods of the petitioner's service on vessels as described in § 337.1, such proof must be made by the affidavits and testimony of at least two citizen witnesses, for each such period, as set forth in §§ 370.4 and 373.2 respectively, of this chapter.

**§ 337.4 Where petition for naturalization is filed more than six months after termination of service.** Where an alien has performed the service specified in § 337.1, but fails to file a petition for naturalization while still in such service or within six months after termination of such service, he shall not be entitled to claim any of the exemptions set forth in § 337.2, except that such a petitioner for naturalization may prove his good moral character, attachment to the principles of the Constitution of the United States, and favorable disposition toward the good order and happiness of the United States, for any period or periods, during the five-year period immediately preceding the filing of the petition, of service specified in § 337.1, by the production of duly authenticated copies of the records of the executive departments having custody of the

records of such service, or discharges showing service with good conduct, as described in such section, in lieu of affidavits and testimony or depositions of witnesses for the period or periods of such service.

**§ 337.5 Procedure.** An application to file a petition for naturalization under § 337.2, § 337.3, or § 337.4 shall be made on Form N-400 and shall be submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The petition for naturalization shall be filed on Form N-405. There shall be attached to the original of every petition for naturalization filed under any of such sections, an affidavit of the petitioner, sworn to before the clerk of court or a member of the Service on Form N-421, fully setting forth the periods and the description of his service. Such Form N-421 shall be filed with and made a part of the petition for naturalization at the time such petition is filed. The duplicate and triplicate executed copies of Form N-421 shall be attached to the duplicate and triplicate petitions for naturalization, respectively.

**PART 338—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OR VETERANS OF THE UNITED STATES ARMED FORCES DURING THE SECOND WORLD WAR WITHIN THE JURISDICTION OF A NATURALIZATION COURT**

Sec.

- 338.1 Persons eligible.
- 338.2 Exemptions and fees.
- 338.3 Certificate of arrival.
- 338.4 Verification of the petition for naturalization.
- 338.5 Proof of service in the armed forces; final hearing.
- 338.6 Procedure.

**AUTHORITY:** §§ 338.1 to 338.6, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 705, 56 Stat. 183, sec. 37 (a), 54 Stat. 675; 8 U. S. C. and Sup., 727, 1005, 458; 8 CFR, 90.1. §§ 338.1 to 338.6, inclusive, interpret and apply sec. 701, 56 Stat. 182, 58 Stat. 886, 59 Stat. 658, sec. 704, 56 Stat. 183, sec. 706, 59 Stat. 658; 8 U. S. C., Sup., 1001, 1004, 1006.

**§ 338.1 Persons eligible.** Any person not a citizen of the United States, regardless of age, who served honorably in the military or naval forces of the United States at any time during the period from September 1, 1939, to December 27, 1945, inclusive, and who was at the time of his enlistment or induction a resident of the United States, its Territories, or possessions and who (a) has been lawfully admitted into the United States, including its Territories and possessions, or (b) having entered the United States, including its Territories and possessions, prior to September 1, 1943, served honorably in such forces beyond the continental limits of the United States, may be naturalized under the provisions of section 701 of the Nationality Act of 1940, as amended, upon his petition filed not later than December 31, 1946. The provisions of section 701 of the Nationality Act of 1940, as amended, shall not apply (1) to any person who during the Second World War is dishonorably discharged from the military or naval forces or is discharged therefrom on account of his alienage, or (2) to any conscientious objector who performed no military duty whatever or

refused to wear the uniform. For the purposes of this part, the Second World War shall be deemed to have commenced on September 1, 1939, and the phrase "the continental limits of the United States" shall be deemed to include only the forty-eight States and the District of Columbia.

**§ 338.2 Exemptions and fees.** A person described in § 338.1 may file a petition for naturalization in any naturalization court, without regard to his place of residence, and no period of residence within the United States or any State shall be required. No declaration of intention shall be required to be filed with the petition, and, for persons of the class described in group (b) of § 338.1, no certificate of arrival shall be required. The petitioner shall not be required to speak the English language, sign his petition in his own handwriting, or meet any educational test. The provisions of sections 303 and 326 of the Nationality Act of 1940, relating respectively to racial restrictions upon naturalization and to the naturalization of alien enemies, shall not apply to petitions for naturalization filed under this part. No fee shall be collected from such petitioner for filing such petition for naturalization, for the final hearing thereon, or for the issuance of a certificate of naturalization if such petition is granted.

**§ 338.3 Certificate of arrival.** If a petitioner for naturalization under § 338.1 entered the United States, its Territories, or possessions after June 29, 1906, and he is not of the class of persons described in group (b) of § 338.1, a certificate of arrival shall be filed with and made a part of the petition for naturalization at the time the petition is filed. Such certificate of arrival shall be issued in accordance with § 363.1 of this chapter, and in the event the entry was not for permanent residence, the certificate of arrival shall state the conditions under which the petitioner was admitted to the United States, its Territories, or possessions.

**§ 338.4 Verification of the petition for naturalization.** A petition for naturalization filed in accordance with § 338.1 shall be verified, but for no specified period of time, by at least two credible witnesses, citizens of the United States, as provided in § 370.4 of this chapter, and the verifying witnesses shall also testify at the final hearing unless excused therefrom as provided in § 373.2 of this chapter.

**§ 338.5 Proof of service in the armed forces; final hearing.** The service of a petitioner under § 338.1 in the military or naval forces of the United States may be proved either (a) by affidavits, forming a part of the petition for naturalization, of at least two credible witnesses, citizens of the United States, members or former members of the United States military or naval forces during the Second World War of the noncommissioned or warrant officer grade or rating, or higher, who may be the same two witnesses described in § 338.4, or (b) by a duly authenticated copy of the record of the Federal executive department having custody of the record of peti-

tioner's service. The provisions of section 334 (c) of the Nationality Act of 1940, relating to final hearings on petitions for naturalization and the issuance of certificates of naturalization within 30 days after the filing of the petition and within 60 days preceding the holding of any general election within the territorial jurisdiction of the naturalization court, shall not apply to petitions for naturalization filed under this part if prior to the filing of the petition the petitioner and the verifying witnesses described in § 338.4, and in § 338.5 if the required service has been proved by the affidavits of witnesses, have appeared before and been examined by a representative of the Immigration and Naturalization Service.

**§ 338.6 Procedure.** An application to file a petition for naturalization under § 338.1 shall be made on Form N-403 if the applicant is serving in the military or naval forces at the time the application is filed. The petition for naturalization of a person so serving shall be filed on Form N-410. Application to file a petition for naturalization under § 338.1 shall be made on Form N-400 if the applicant has been discharged before the application is filed. The petition for naturalization of a discharged person shall be filed on Form N-412. The Form N-403 or N-400 shall be submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter.

**PART 339—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OF THE UNITED STATES ARMED FORCES DURING THE SECOND WORLD WAR NOT WITHIN THE JURISDICTION OF ANY NATURALIZATION COURT**

Sec.

- 339.1 Persons eligible.
- 339.2 Exemptions and fees.
- 339.3 Verification of the petition for naturalization.
- 339.4 Proof of service in the armed forces.
- 339.5 Oath of renunciation and allegiance.
- 339.6 Renunciation of title or order of nobility.
- 339.7 Change of name.
- 339.8 Procedure.
- 339.9 Issuance of certificate of naturalization.
- 339.10 Disposition of original and duplicate petitions for naturalization, and original, duplicate, and triplicate certificates of naturalization.

**AUTHORITY:** §§ 339.1 to 339.10, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 705, 56 Stat. 183, sec. 37 (a), 54 Stat. 675; 8 U. S. C. and Sup., 727, 1005, 458; 8 CFR, 90.1. §§ 339.1 to 339.10, inclusive, interpret and apply sec. 702, 56 Stat. 182, 58 Stat. 887, sec. 704, 56 Stat. 183, sec. 706, 59 Stat. 658; 8 U. S. C., Sup., 1002, 1004, 1006.

**§ 339.1 Persons eligible.** Any person not a citizen of the United States, regardless of age, who served honorably in the military or naval forces of the United States at any time during the period from September 1, 1939, to December 27, 1945, inclusive, and who while serving honorably in the military or naval forces of the United States during the Second World War is not within the jurisdiction of any court authorized to naturalize aliens and who was at the time of his enlistment or induction a resident

## RULES AND REGULATIONS

of the United States, its Territories, or possessions and who (a) has been lawfully admitted into the United States, including its Territories and possessions, or (b) entered the United States, including its Territories and possessions, prior to September 1, 1943, may be naturalized under the provisions of section 702 of the Nationality Act of 1940, as amended, upon his petition filed not later than December 31, 1946. Naturalization may be granted under this part at any place outside the naturalization jurisdiction of any naturalization court located in continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States. The provisions of section 702 of the Nationality Act of 1940, as amended, shall not apply to any conscientious objector who performed no military duty whatever or refused to wear the uniform.

**§ 339.2 Exemptions and fees.** (a) A person described in § 339.1 may file a petition for naturalization without regard to the period of his residence within the United States or any State. No declaration of intention shall be required to be filed with the petition. The petitioner shall not be required to speak the English language, sign the petition in his own handwriting, or meet any educational test. The provisions of sections 303 and 326 of the Nationality Act of 1940, relating respectively to racial restrictions upon naturalization and to the naturalization of alien enemies, shall not apply to petitions for naturalization filed under this part. No fee shall be collected from such petitioner for filing such petition for naturalization, for the final hearing thereon, or for the issuance of a certificate of naturalization if such petition is granted.

(b) If a petitioner for naturalization under § 339.1 establishes that his entry into the United States, its Territories, or possessions occurred prior to September 1, 1943, no certificate of arrival shall be required. If petitioner's entry occurred on or after September 1, 1943, a certificate of arrival shall be filed with and made a part of the petition for naturalization at the time the petition is filed. Such certificate of arrival shall be issued in accordance with § 363.1 of this chapter.

**§ 339.3 Verification of the petition for naturalization.** A petition for naturalization filed in accordance with § 339.1 shall be verified, but for no specified period of time, by at least two credible witnesses, citizens of the United States, as provided in § 370.4 of this chapter, and the verifying witnesses shall also testify at the final hearing unless excused therefrom as provided in § 373.2 of this chapter.

**§ 339.4 Proof of service in the armed forces.** The service of a petitioner for naturalization under § 339.1 in the military or naval forces of the United States may be proved either (a), by affidavits, forming a part of the petition for naturalization, of at least two credible witnesses, citizens of the United States, members or former members of the military or naval forces of the United States during the Second World War who are of

the noncommissioned or warrant officer grade or rating, or higher, and who may be the same two witnesses described in § 339.3 or (b) by a duly authenticated copy of the record of the Federal executive department having custody of the record of the petitioner's service.

**§ 339.5 Oath of renunciation and allegiance.** A petitioner for naturalization under § 339.1, before being admitted to citizenship, shall take before the representative of the Immigration and Naturalization Service designated for that purpose by the Commissioner of Immigration and Naturalization the oath of renunciation and allegiance prescribed by section 335 of the Nationality Act of 1940.

**§ 339.6 Renunciation of title or order of nobility.** A petitioner for naturalization under § 339.1 who has borne any hereditary title or has been of any of the orders of nobility in any foreign state, before being admitted to citizenship, in addition to taking the oath of allegiance prescribed by § 339.5, shall make under oath before such designated representative of the Immigration and Naturalization Service an express renunciation of such title or order of nobility, and such renunciation shall be recorded as a part of such proceedings.

**§ 339.7 Change of name.** At the time and as a part of the naturalization of any person under the provisions of § 339.1 the designated representative of the Commissioner may upon the prayer of the petitioner included in the petition for naturalization, make a decree in his discretion changing the name of such person and issue the certificate of naturalization in accordance therewith.

**§ 339.8 Procedure—(a) Petition for naturalization: form.** An applicant for naturalization under § 339.1 shall make before, and file with, the designated representative of the Immigration and Naturalization Service a sworn petition in writing on Form N-411, in duplicate, signed by the applicant and duly verified by witnesses.

**(b) Petition for naturalization: jurat and order of the designated representative of the Immigration and Naturalization Service.** The petition shall contain a certification that the petitioner and the verifying witnesses have appeared before, and have been examined by, the designated representative of the Immigration and Naturalization Service and the jurat and order executed by the designated representative of the Immigration and Naturalization Service.

**(c) Procedure: final hearing.** If a petitioner under § 339.1 and the verifying witnesses described in § 339.3, and also the witnesses described in § 339.4 if the required service has been proved by the affidavits of witnesses, have appeared before and been examined by the designated representative of the Immigration and Naturalization Service prior to the filing of the petition for naturalization, the petitioner may be naturalized immediately.

**§ 339.9 Issuance of certificate of naturalization.** A member of the armed forces of the United States naturalized

under the provisions of § 339.1 shall have issued to him by the designated representative of the Immigration and Naturalization Service as a part of the naturalization proceedings the original of the certificate of naturalization.

**§ 339.10 Disposition of original and duplicate petitions for naturalization, and original, duplicate, and triplicate certificates of naturalization.** Petitions for naturalization filed and certificates of naturalization issued under the provisions of §§ 339.1, 339.8, and 339.9 shall be numbered in series separate from other petitions and certificates. The original and duplicate of a petition for naturalization filed under §§ 339.1 and 339.8 shall bear the same petition number and, together with the duplicate and triplicate of the certificate of naturalization, shall, after completion of action thereon by the designated representative of the Immigration and Naturalization Service, be transmitted by him direct to the Commissioner as soon as practicable. Each duplicate petition and each duplicate certificate shall thereafter be transmitted by the Commissioner to the clerk of a court exercising naturalization jurisdiction over the place designated by the petitioner and shall be filed by the clerk as a part of the records of that court. If the petitioner does not designate the place in which the duplicate petition and duplicate certificate are to be filed, they shall be transmitted by the Commissioner to the clerk of the United States district court in the district in which the petitioner is a resident, or, if the petitioner is not a resident of any place within the jurisdiction of a United States district court, to the Clerk of the United States District Court for the District of Columbia, Washington, D. C., and shall be filed by the clerk as a part of the records of that court. Each original petition for naturalization and triplicate certificate of naturalization shall be filed permanently by the Commissioner as a part of the records of the Immigration and Naturalization Service.

#### PART 345—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: NATIONALS BUT NOT CITIZENS OF THE UNITED STATES

##### Sec.

345.1 Exemption from residence in the United States.

345.2 Certificate of arrival.

**AUTHORITY:** §§ 345.1 and 345.2 issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 345.1 Exemption from residence in the United States.** A national of the United States who is not a citizen thereof, and who is otherwise qualified for naturalization, may, if he becomes a resident of any State, be naturalized upon compliance with the requirements of the Nationality Act of 1940. In the case of such a person, residence within any of the outlying possessions of the United States shall be considered as residence within the United States within the meaning of such act. (Sec. 321, 54 Stat. 1148; 8 U. S. C. 721)

**§ 345.2 Certificate of arrival.** A person described in § 345.1, if he entered the United States after June 29, 1906, and a certificate of arrival is required in his case, shall not file a declaration of intention nor a petition for naturalization until his lawful entry into the United States for permanent residence has been verified and a certificate of such arrival has been issued by the Immigration and Naturalization Service in accordance with the requirements of Part 363 of this chapter. The certificate of arrival in such a case shall set forth the date, place, and manner of the applicant's arrival as shown by the records of the Service. (Secs. 329 (b), 332 (c), 54 Stat. 1152, 1156; 8 U. S. C. 729 (b), 732 (c))

**PART 346—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: FILIPINOS WHOSE RESIDENCE IN THE UNITED STATES COMMENCED BEFORE MAY 1, 1934**

Sec.

346.1 Qualifications; exemptions.  
346.2 Procedure.  
346.3 Proof of requirements.

**AUTHORITY:** §§ 346.1 to 346.3, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR. 90.1. §§ 346.1 to 346.3, inclusive, interpret and apply sec. 321A, 60 Stat. 417; 8 U. S. C. Sup., 721a.

**§ 346.1 Qualifications; exemptions.** An alien who was a citizen of the Commonwealth of the Philippines on July 2, 1946, who is of a race indigenous to the Philippine Islands but not as much as one-half of a race ineligible to citizenship, who entered the United States prior to May 1, 1934, and who has since continuously resided in the United States, may be naturalized upon compliance with all the requirements of the naturalization laws, except that no certificate of arrival and no declaration of intention shall be required.

**§ 346.2 Procedure.** An alien desiring to file a petition for naturalization under § 346.1 shall make application on Form N-400 and shall submit it to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The petition shall be filed on Form N-405 in accordance with the requirements of Part 370 of this chapter. Form N-405 shall be altered by the clerk of court as provided in § 361.7 (a) and (b) of this chapter.

**§ 346.3 Proof of requirements.** Verification of the petition for naturalization and proof of residence and the other requirements prescribed by § 346.1 shall be made in the manner provided by Parts 370 and 373 of this chapter. In addition, the petitioner shall prove, by any evidence satisfactory to the naturalization court, that he entered the United States prior to May 1, 1934, and has since continuously resided in the United States and that he is of a race indigenous to the Philippine Islands but not as much as one-half of a race ineligible to citizenship. In presenting proof of entry or residence, the petitioner shall be entitled to the benefit of any records concerning him which are in the custody of the Service.

**PART 347—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: PUERTO RICANS**

Sec.

347.1 Declaration of allegiance to the United States.  
347.2 Procedure.  
347.3 Disposition; fee; certificate of naturalization.

**AUTHORITY:** §§ 347.1 to 347.3, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR. 90.1. §§ 347.1 to 347.3, inclusive, interpret and apply sec. 5, 39 Stat. 953, sec. 5a, 44 Stat. 1418, 47 Stat. 158, secs. 202, 322, 335, 54 Stat. 1139, 1148, 1157; 8 U. S. C. 602 note, 602, 722, 735.

**§ 347.1 Declaration of allegiance to the United States.** A person born in Puerto Rico of alien parent or parents, who was eligible to become a citizen of the United States by making a declaration of allegiance to the United States under section 5 of the act of March 2, 1917, and under section 5 a of said act, as amended by section 2 of the act of March 4, 1927, and who did not exercise such privilege, may become a citizen of the United States by making the declaration provided for by the foregoing acts at any time on or after January 13, 1941. Such declaration of allegiance must be filed in the United States District Court for the District of Puerto Rico.

**§ 347.2 Procedure.** (a) The declaration of allegiance specified in § 347.1 shall be made on Form N-330. There shall be set forth in that form all the facts connected with the declarant's birth and residence in Puerto Rico, and due proof of such facts shall be submitted. The declarant also shall furnish three photographs of himself as described in § 364.1 of this chapter.

(b) The declaration of allegiance shall be verified by the affidavits of two witnesses, citizens of the United States, who shall appear in person at the time the declaration is filed with the court. Each of such witnesses shall state in his affidavit that he personally knows the declarant to be permanently residing in Puerto Rico and that the declarant is a person of good moral character attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States, and that in his opinion the declarant is in every way qualified to be a citizen of the United States.

(c) The oath of renunciation and allegiance as prescribed by section 335 of the Nationality Act of 1940, shall be administered to the declarant in open court.

**§ 347.3 Disposition; fee; certificate of naturalization.** The declarations of allegiance described in this part shall be numbered consecutively by the clerk of court in the same sequence of numbers as the petitions for naturalization, as described in § 370.6 of this chapter. The original declaration of allegiance shall be retained by the clerk of court, and the duplicate and triplicate thereof forwarded to the Commissioner of Immigration and Naturalization at the end of the month and shall be included in the clerk's report on Form N-4. The declarant shall pay a fee of \$8 to the

clerk of court at the time the declaration is filed, and upon taking the oath of renunciation and allegiance shall be entitled to a certificate of naturalization. The certificate of naturalization shall be issued by the clerk of court in the manner described in Part 377 of this chapter.

**PART 348—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: VIRGIN ISLANDERS**

Sec.

348.1 Renunciation of Danish allegiance.  
348.2 Form and procedure for renouncing Danish allegiance; fee.  
348.3 Citizenship of United States; when acquired; certificate not authorized in certain cases.  
348.4 Naturalization laws applicable to alien residents of the Virgin Islands of the United States.

**AUTHORITY:** §§ 348.1 to 348.4, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR. 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 348.1 Renunciation of Danish allegiance.** Any Danish citizen who resided in the Virgin Islands of the United States on January 17, 1917, and in those islands, Puerto Rico, or the United States on February 25, 1927, and who had preserved Danish citizenship by making the declaration prescribed in Article VI of the Convention proclaimed January 25, 1917, between the United States and Denmark, may renounce his Danish citizenship before any court of record regardless of whether such court is authorized to exercise naturalization jurisdiction. (Sec. 1 (a), 44 Stat. 1234, 8 U. S. C. 601 note; art. 6, 39 Stat. 1711)

**§ 348.2 Form and procedure for renouncing Danish allegiance; fee.** The form for the declaration of renunciation of Danish citizenship shall be designed and prescribed by the court of record in which the Danish citizen desires to renounce such allegiance. The usual procedural requirements of the Nationality Act of 1940 do not apply to the proceedings described in § 348.1 and this section. The fee shall be fixed by the court or the clerk thereof in which the renunciation is made in accordance with law and the rules of such court, and no accounting therefor is required to be made to the Immigration and Naturalization Service. (Sec. 1 (a), 44 Stat. 1234; 8 U. S. C. 601 note)

**§ 348.3 Citizenship of United States; when acquired; certificate not authorized in certain cases.** Immediately upon making the declaration of renunciation as described in §§ 348.1 and 348.2, the declarant becomes a citizen of the United States. No certificate of naturalization or of citizenship shall be issued to any person obtaining, or who has obtained, citizenship solely under section 1 of the act of February 25, 1927, conferring citizenship upon certain inhabitants of the Virgin Islands of the United States. (Sec. 1, 44 Stat. 1234, 47 Stat. 158, 336; 8 U. S. C. 601 note)

**§ 348.4 Naturalization laws applicable to alien residents of the Virgin Islands**

## RULES AND REGULATIONS

of the United States. Aliens, other than those described elsewhere in this part, who are residing in the Virgin Islands of the United States and who wish to become naturalized as citizens of the United States shall comply with the provisions of the naturalization laws. Residence in the Virgin Islands of the United States shall be regarded as residence in the United States within the meaning of the Nationality Act of 1940. A preliminary application to file a declaration of intention or a petition for naturalization by a resident of the Virgin Islands of the United States shall be made upon preliminary naturalization Form N-300 or N-400, respectively, in accordance with §§ 365.1 and 370.1 of this chapter, and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. (Sec. 101 (d), 54 Stat. 1137; 8 U. S. C. 501 (d))

## PART 350—RACIAL LIMITATIONS UPON NATURALIZATION

Sec.  
 350.1 Designation of race in naturalization matters.  
 350.4 Race of former citizens of the United States.  
 350.5 Racial eligibility not required in certain classes of naturalization cases.

AUTHORITY: §§ 350.1 to 350.5, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 350.1 to 350.5, inclusive, interpret and apply sec. 303, 54 Stat. 1140, 57 Stat. 601, 60 Stat. 416; 8 U. S. C. and Sup., 703. Other statutes interpreted or applied are cited in parentheses at the end of affected sections.

§ 350.1 *Designation of race in naturalization matters.* Whenever race is required to be designated in connection with any naturalization matter, such designation shall be made by the use of one or more of the following terms, except that, where appropriate, other terms may be used in cases within § 350.4 or § 350.5; White, African or African descent, American Indian, Eskimo, Aleutian, Filipino or Filipino descent, Chinese or Chinese descent, and East Indian.

§ 350.4 *Race of former citizens of the United States.* A former citizen of the United States, who complies with the requirements of section 317 of the Nationality Act of 1940, may be naturalized notwithstanding his race. (Sec. 317, 54 Stat. 1146; 8 U. S. C. 717)

§ 350.5 *Racial eligibility not required in certain classes of naturalization cases.* A child may acquire citizenship under section 313 or 314 of the Nationality Act of 1940 notwithstanding his race. A person may acquire citizenship under section 701 or 702 of the Nationality Act of 1940 notwithstanding his race. (Secs. 313, 314, 54 Stat. 1145, sec. 701, 56 Stat. 182, 58 Stat. 886, 59 Stat. 658, sec. 702, 56 Stat. 182, 58 Stat. 887; 8 U. S. C. and Sup., 713, 714, 1001, 1002)

## PART 352—ATTACHMENT TO THE PRINCIPLES OF THE CONSTITUTION AND FAVORABLE DISPOSITION TOWARD THE GOOD ORDER AND HAPPINESS OF THE UNITED STATES

Sec.  
 352.1 Attachment to Constitution and disposition toward United States.

Sec.  
 352.2 Investigation as to attachment and attitude.  
 352.3 Favorable attitude toward government of petitioner for naturalization for ten years.  
 352.4 Deserters from the military or naval service of the United States or avoiders of the draft into such military or naval service; ineligible to become citizens of the United States.

AUTHORITY: §§ 352.1 to 352.4, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 352.1 to 352.4, inclusive, interpret and apply secs. 305, 306, 307 (a), 309, 54 Stat. 1141, 1142, 1143; 8 U. S. C. 705, 706, 707 (a), 709.

§ 352.1 *Attachment to Constitution and disposition toward United States.* No person shall acquire United States citizenship under the provisions of Chapter III of the Nationality Act of 1940 (except a person subject to the provisions of section 313, 314, 317 (b) or 323 thereof) unless such person shall have proved his attachment to the principles of the Constitution of the United States and his favorable disposition toward the good order and happiness of the United States for such period or periods as may be required in his particular case, and in the manner provided by Part 373 of this chapter.

§ 352.2 *Investigation as to attachment and attitude.* The appropriate naturalization officer of the Service, before recommending any petitioner favorably to the court, shall satisfy himself that the petitioner has a fair knowledge of the fundamental principles of the Constitution of the United States, that he is, and has been during the required period or periods, attached thereto, and that it is his intention to assume the duties and responsibilities of citizenship of the United States. The action of such officer at any hearing upon the petition shall be based upon the testimony of the petitioner and his witnesses; the attitude, behavior, and conduct of the petitioner over the required period or periods; the naturalization officer's examination as prescribed by § 356.3 of this chapter, and his independent investigation, and such other evidence as may be available.

§ 352.3 *Favorable attitude toward government of petitioner for naturalization for ten years.* No person (except a person subject to the provisions of section 313, 314, 317 (b), or 323 of the Nationality Act of 1940) may be naturalized who is found to be, or, at any time within the period of ten years immediately preceding the filing of his petition for naturalization, to have been, within any of the classes of persons described in section 305 of said act. The appropriate naturalization officer of the Service, before recommending any petitioner favorably to the court, shall make a general inquiry to determine whether there is any evidence that the petitioner belongs to any of the classes described in section 305 of the said act. If there is such evidence, the burden shall be upon the petitioner to refute it and to show that he is qualified for naturalization under the Nationality Act of 1940.

§ 352.4 *Deserters from the military or naval service of the United States or avoiders of the draft into such military or naval service; ineligible to become citizens of the United States.* If there is reason to believe that a petitioner for naturalization, at any time during which the United States has been or may be at war, deserted the military or naval forces of the United States, or, being duly enrolled, departed from the jurisdiction of the district in which enrolled or went beyond the limits of the United States with intent to avoid any lawfully ordered draft into the military or naval service of the United States, inquiry shall be made by the field office of the appropriate authorities to determine the facts, and action upon the petition shall be based thereon. If it appears that the petitioner has been convicted of any such offense by court martial, a motion for the denial with prejudice of the petition for naturalization shall be made.

## PART 353—GOOD MORAL CHARACTER

Sec.  
 353.1 Good moral character.  
 353.2 Basis for determination of good moral character.  
 353.3 Period during which good moral character must be established.

AUTHORITY: §§ 353.1 to 353.3, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 353.1 to 353.3, inclusive, interpret and apply secs. 307 (a), 309, 54 Stat. 1142, 1143; 8 U. S. C. 707 (a), 709.

§ 353.1 *Good moral character.* No person shall acquire United States citizenship under the provisions of Chapter III of the Nationality Act of 1940 (except a person subject to the provisions of section 313, 314, 317 (b), or 323 thereof) unless such person shall have proved his good moral character for such period or periods as may be required in his particular case, and in the manner provided by Part 373 of this chapter.

§ 353.2 *Basis for determination of good moral character.* The appropriate naturalization officer of the Service, before recommending any petitioner for naturalization favorably to the court, shall satisfy himself that the petitioner is, and has been during the required period or periods, a person of good moral character. The action of such officer at any hearing upon the petition shall be based upon the testimony of the petitioner and his witnesses; the attitude, behavior, and conduct of the petitioner over the required period or periods; the naturalization officer's independent investigation, and such other evidence as may be available.

§ 353.3 *Period during which good moral character must be established.* The investigation of the petitioner's attitude, behavior, and conduct shall be extended beyond the period or periods prescribed by the Nationality Act of 1940 if there is reason to believe that such investigation is necessary to a proper determination of the case. The results of the investigation shall be reported by the naturalization officer to the appropriate naturalization court.

## PART 354—RESIDENCE AND ABSENCE

Sec.  
 354.1 Residence; minimum periods required.  
 354.2 Residence; break of continuity, procedure where an objection is filed.  
 354.3 Residence; when not affected by absence on or after January 13, 1941.  
 354.4 Residence; when not affected by absence on or after June 29, 1938, and prior to January 13, 1941.  
 354.5 Residence; when not affected by absence after June 25, 1936, and prior to June 29, 1938.  
 354.6 Residence; when not affected by absence prior to June 25, 1936.  
 354.7 Absence of clergyman or nun; no effect upon residence if absence temporary in nature.  
 354.8 Absence; application for approval if for one year or more.

AUTHORITY: §§ 354.1 to 354.8, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 354.1 Residence; minimum periods required.** The general provisions of the Nationality Act of 1940 require that a petitioner for naturalization must have resided continuously in the United States for at least five years, and in the State where then residing for at least six months, immediately preceding the filing of the petition, and that he must also reside continuously within the United States from the date of filing the petition until the date of his admission to citizenship. For exceptions to the general rule, see Parts 324, 326, 330, 332, 334, 337, 345, 347, and 348 of this chapter. (Secs. 307, 309, 54 Stat. 1142, 1143; 8 U. S. C. 707, 709)

**§ 354.2 Residence; break of continuity, procedure where an objection is filed —**  
 (a) *Effect of absence of not more than six months.* Where a petitioner for naturalization has been absent from the United States not more than six months during the period for which continuous residence is required, no objection shall be made to the granting of the petition upon that ground unless the facts and circumstances indicate a break in the continuity of such residence.

(b) *Effect of absence of more than six months but less than one year.* Where the absence during the period for which continuous residence is required has been for more than six months but less than one year, an objection shall be made unless the evidence satisfactorily overcomes the presumption raised by the statute that the required continuity of residence has been broken.

(c) *Effect of absence of one year or more.* Where there has been an absence from the United States for a continuous period of one year or more, during the periods for which continuous residence is required, an objection shall be made to the granting of the petition, unless the applicable requirements of § 354.3, § 354.5, or § 354.6 have been fully met.

(d) *When objection overruled; procedure.* If an objection made under this section is overruled, the necessary action shall be taken to preserve the Government's right of review, and the facts reported immediately to the Central Office. (Sec. 307 (b), (c), 54 Stat. 1142; 8 U. S. C. 707 (b), (c))

**§ 354.3 Residence; when not affected by absence on or after January 13, 1941.** No period of absence from the United States on or after January 13, 1941, and during the period for which continuous residence in the United States is required by the naturalization laws, shall break the continuity of such residence if prior to the beginning of such absence from the United States, the alien:

(a) Had resided in the United States for a period of at least one year and had filed a declaration of intention during such period, or was entitled to file a petition for naturalization without a declaration of intention;

(b) Was thereafter employed by, or had entered into a contract with, the Government of the United States, or an American institution of research recognized as such by the Attorney General or was employed by an American firm or corporation engaged in whole or in part in the development of the foreign trade and commerce of the United States, or a subsidiary thereof, or whose residence abroad was necessary for the protection of the property rights in such countries of such firm or corporation or subsidiary;

(c) Had established to the satisfaction of the Attorney General, in the manner prescribed by § 354.8, prior to the beginning of such absence, or the procurement of such employment or contract if then temporarily absent from the United States, that such employment or contract or representation was of the nature described in paragraph (b) of this section, and that his absence from the United States was in connection with one or more of the activities described therein; and

(d) Shall prove, at the final hearing upon his petition for naturalization, to the satisfaction of the court, that his absence from the United States during such period was solely for such purpose or purposes.

For the purposes of paragraph (a) of this section, the period of the alien's residence must have followed a lawful entry to the United States for permanent residence and the place of his general abode shall be deemed his place of residence. Physical absence from the United States of a purely temporary nature during such period of time on the part of the alien shall not be deemed to break the continuity of residence. (Secs. 104, 307 (a), (b), 54 Stat. 1138, 1142; 8 U. S. C. 504, 707 (a), (b))

**§ 354.4 Residence; when not affected by absence on or after June 29, 1938, and prior to January 13, 1941.** No absence from the United States on or after June 29, 1938, and prior to January 13, 1941, shall be held to have broken the continuity of residence in the United States of an alien who has been lawfully admitted to the United States for permanent residence, has thereafter resided in the United States for at least one year, and who has during such period made a declaration of intention, or was entitled to file a petition for naturalization without a declaration of intention, and who has met all of the other requirements set forth in § 354.3, except that any application for the benefits of previous laws relating to exemptions from the usual

effect of an absence for more than one year, which may have been made and acted upon by the Secretary of Labor prior to June 14, 1940, shall be considered valid under the Nationality Act of 1940. (52 Stat. 1247, sec. 347, 54 Stat. 1168; 8 U. S. C. 382, 747)

**§ 354.5 Residence; when not affected by absence after June 25, 1936, and prior to June 29, 1938.** No period of absence outside the United States after June 25, 1936, and prior to June 29, 1938, shall be held to have broken the continuity of residence in the United States required by the naturalization laws, if the alien:

(a) Had previously made a declaration of intention (if such declaration was necessary for the filing of a valid petition for naturalization); and

(b) Prior to the beginning of such absence, or before the procurement of the employment or contract which made the absence necessary, had established to the satisfaction of the Secretary of Labor that such absence was to be for one or more of the purposes described in § 354.3; and

(c) Establishes to the satisfaction of the court at the final hearing upon his petition for naturalization that his absence from the United States was for the purpose which was established to the satisfaction of the Secretary of Labor.

No objection shall be made to naturalization in the case of any person who was absent from the United States on June 25, 1936, and who may at any time thereafter have submitted a complete and proper application to the Secretary of Labor for the benefits of section 1 of the act of June 25, 1936, which may have been subsequently acted upon favorably by the Secretary of Labor. (Sec. 1, 49 Stat. 1925, sec. 347, 54 Stat. 1168; 8 U. S. C. 382, 747)

**§ 354.6 Residence; when not affected by absence prior to June 25, 1936.** No period of absence from the United States during the five years immediately preceding June 25, 1936, shall be held to have broken the continuity of residence required for naturalization purposes if the alien had proved to the satisfaction of the Secretary of Labor prior to June 14, 1940, or, subsequently thereto and prior to the final hearing upon his petition for naturalization, may have proved or may prove to the satisfaction of the Attorney General in the manner prescribed by § 354.8, and also at the final hearing upon his petition proves to the court, that during such period of absence he was under employment by, or contract with, either the United States Government, or such American institution of research as was recognized by the Secretary of Labor or may have been so recognized since by the Attorney General, or an American firm or corporation as described in §§ 354.3 and 354.5, and that his absence was necessary in connection with any of the activities described therein. (49 Stat. 1925, sec. 307 (c), 54 Stat. 1142; 8 U. S. C. 382a, 707 (c))

**§ 354.7 Absence of clergyman or nun; no effect upon residence if absence temporary in nature.** No absence at any time by a clergyman or nun, theretofore lawfully admitted into the United States

for permanent residence, shall be regarded as interrupting the residence in the United States required by the naturalization laws, provided such absence was for a temporary period and solely in his or her capacity as a regularly ordained clergyman or nun of an established church or religious faith, if such person establishes to the satisfaction of the Attorney General, in the manner prescribed by § 354.8 either before or after such absence, and to the satisfaction of the court at the final hearing upon the petition for naturalization, that the requirements of this section have been fully met and that he or she has in all other respects fully complied with all applicable provisions of the naturalization laws. (Sec. 308, 54 Stat. 1143; 8 U. S. C. 708)

§ 354.8 *Absence; application for approval if for one year or more.* Applications for the benefits of §§ 354.3, 354.6, and 354.7 shall be submitted to the Immigration and Naturalization Service, Washington, D. C., in duplicate, on Form N-470. A copy of the decision upon the application shall be filed in the naturalization court with the alien's petition for naturalization as a part of the record in the naturalization proceedings. (Sec. 307 (b), (c), 54 Stat. 1142; 8 U. S. C. 707 (b), (c))

#### PART 356—EDUCATIONAL REQUIREMENTS AND EDUCATION FOR CITIZENSHIP

Sec. 356.1 Signing of petition for naturalization by petitioner.

356.2 Petitioner's ability to speak English.

356.3 Educational examination of petitioners for naturalization.

356.4 Public-school instruction and training in citizenship responsibilities of applicants for naturalization.

356.5 Sending names of candidates for naturalization to the public schools.

356.6 Federal citizenship textbooks.

356.7 Public-school certificate as evidence of petitioner's educational progress.

356.8 Cooperation with official National and State organizations.

AUTHORITY: §§ 356.1 to 356.8, inclusive, is issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 356.1 to 356.8, inclusive, interpret and apply secs. 304, 327 (b), (c), 332 (a), 344, 54 Stat. 1140, 1151, 1154, 1163; 8 U. S. C. 704, 727 (b), (c), 732 (a), 744.

§ 356.1 *Signing of petition for naturalization by petitioner.* Every petition for naturalization shall be signed by the petitioner in his own handwriting, if he is physically able to write.

§ 356.2 *Petitioner's ability to speak English.* Every petitioner applying for naturalization in his own behalf (except a petitioner who is physically unable to speak or a petitioner under section 317 (b) or 323 of the Nationality Act of 1940) shall, before being naturalized, demonstrate his ability to speak the English language by carrying on understandingly an ordinary conversation in English.

§ 356.3 *Educational examination of petitioners for naturalization.* The examination of each petitioner for naturalization shall include an educational examination. The purpose of the educational examination shall be to determine

whether the petitioner has a fair knowledge of the fundamental principles of the Constitution and is qualified to assume the duties and responsibilities of a citizen of the United States. To this end the petitioner may be questioned as to (a) the principal historical facts concerning the development of the United States as a republic, (b) the organization and principal functions of the Government of the United States, and of the States and local units of government, and (c) the relation of the individual in the United States to government—National, State, and local, the rights and privileges growing from that relationship, and the duties and responsibilities which result from it. Every care shall be exercised to avoid abstruse, technical, irrelevant, and extreme questions. The language level of the questions shall be suited to the particular petitioner, having regard to his educational background and the extent of his knowledge of the English language.

§ 356.4 *Public-school instruction and training in citizenship responsibilities of applicants for naturalization.* The Central Office and the field shall cooperate in the establishment and maintenance of classes within or under the supervision of the public schools for the preparation of naturalization applicants for their citizenship duties and responsibilities. Field officers, including naturalization examiners, shall visit such classes when practicable. Should applicants for naturalization who desire such preparation live in remote localities where the establishment of a class is impracticable, field officers shall communicate with the appropriate representative of the public schools in the applicants' vicinity for the purpose of making other suitable arrangements, if possible, for their instruction.

§ 356.5 *Sending names of candidates for naturalization to the public schools.* Arrangements shall be made with the public schools by which the names and addresses of applicants for naturalization will be made available to such schools for the purpose of interesting applicants in attending public-school classes in preparation for citizenship duties and responsibilities. It shall be made clear to applicants for naturalization and to the public schools that such attendance is voluntary. At the same time applicants shall be informed that if they are in need of instruction for their educational examination in preparation for citizenship, the public schools offer an excellent opportunity to obtain it.

§ 356.6 *Federal citizenship textbooks.* Citizenship textbooks, for the free use of applicants for naturalization receiving instruction in or under the supervision of the public schools in preparation for citizenship, shall be prepared and distributed by the Service to the appropriate representatives of the public schools upon their signed requisitions therefor.

§ 356.7 *Public-school certificate as evidence of petitioner's educational progress.* Public-school certificates, attesting the attendance and progress records of petitioners for naturalization in citizenship classes, shall be given weight by naturalization officers in determining the

educational standing of such petitioners, dependent upon satisfaction of the district director and the naturalization courts with the courses of instruction, teaching, and examinations of the public schools issuing such certificates. In no instance, however, shall such certificates be accepted as a total waiver of the educational examination.

§ 356.8 *Cooperation with official National and State organizations.* The Central Office and the Field Service shall take steps to obtain the aid of and to cooperate with official National and State organizations in the Service's program of education of applicants for naturalization for their citizenship duties and responsibilities. Similar action shall be taken in relation to duly accredited unofficial educational, social service, welfare, and other organizations having as one of their objects the adequate preparation of applicants for naturalization for their citizenship duties and responsibilities.

#### PART 360—CLERKS OF NATURALIZATION COURTS AND THEIR DUTIES

Sec. 360.1 Receiving and filing declarations of intention and petitions for naturalization.

360.2 Issuance of subpoenas.

360.3 Monthly reports; copies of records; when and to whom sent.

360.4 Disposition to be made of clerk's report and accounting.

360.5 Division of the year for accounting for naturalization fees.

360.6 Fees in United States courts; remittance.

360.7 Fees in other than United States courts; remittance.

360.8 Time for report of and accounting for fees collected.

360.9 Report of and accounting for spoiled and void papers.

AUTHORITY: §§ 360.1 to 360.9, inclusive, issued under sec. 327, 54 Stat. 1150; sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

§ 360.1 *Receiving and filing declarations of intention and petitions for naturalization.* It shall be the duty of every clerk of a naturalization court to administer the required oath to each applicant for a declaration of intention, and such oath shall be administered only in the office of the clerk of court. The clerk of court shall receive and file petitions for naturalization and administer, in his own office only, the required oaths to each petitioner and the witnesses to each petition, unless such petitioner and witnesses have sworn to the petition before a designated examiner. (Secs. 331, 332 (a), 337 (a), 54 Stat. 1153, 1154, and 1158; 8 U. S. C. 731, 732 (a), 737 (a))

§ 360.2 *Issuance of subpoenas.* Clerk of courts shall issue subpoenas for attendance of witnesses at final naturalization hearings, if demand is made by the petitioner at the time the petition is filed, provided the petitioner deposits with the clerk of court a sum of money sufficient to cover the cost of the subpoenas and the legal fees of such witnesses. (Secs. 309 (d), 342 (j), 54 Stat. 1144, 1162; 8 U. S. C. 709 (d), 742 (j))

**§ 360.3 Monthly reports; copies of records; when and to whom sent.** Unless otherwise directed by proper authority, clerks of courts shall, except as hereinafter stated in this section, on the first day of each month, forward to the appropriate district director or divisional director, all duplicates of declarations of intention and all duplicates and triplicates of petitions for naturalization filed during the preceding month, together with a report on Form N-4, in duplicate, showing the serial numbers of such declarations and petitions so filed, the names and sex of the petitioners, and the approximate dates for final hearing. When at any time during the month the number of declarations and petitions filed reaches 100 in the aggregate, the clerk shall, on request of the district director or divisional director, forthwith forward such duplicates and report as herein provided. Clerks of courts shall also include on Form N-4 a list of the inclusive numbers of all certificates of naturalization issued during the preceding month, and the duplicates of such certificates, with their stubs intact and with the alien registration receipt cards to which reference is made in § 377.3 of this chapter, shall be forwarded to the appropriate district director or divisional director. (Sec. 337 (a), (b), (c), 54 Stat. 1158; 8 U. S. C. 737 (a), (b), (c))

**§ 360.4 Disposition to be made of clerk's report and accounting.** Upon receipt, by the field officer concerned, of the monthly reports upon Form N-4 and accompanying papers, said forms shall be stamped so as to show the date of receipt. Such papers shall be examined in all cases at the local field office of the Service and appropriate action taken and record made therefrom. Thereafter they shall be transmitted to the Central Office accompanied by the original report on Form N-4. The duplicate report on Form N-4 and the triplicate copy of the petition shall be retained by the field office. If it be necessary for the field officer to return a duplicate naturalization paper to the clerk of court for correction, a carbon of the letter to the clerk returning such paper shall be sent with the other papers, if there be any, to the Central Office for its information. The other duplicate papers shall not be held awaiting the return of the corrected papers from the clerk of court, but shall be forwarded to the Central Office immediately after all records have been made. The corrected paper bearing the "received" stamp of the field office, as of the subsequent date of receipt, shall be forwarded to the Central Office when received from the clerk of court. The duplicates and report herein referred to shall be sent by registered mail and plainly marked "Official Business." (Secs. 337, 343, 54 Stat. 1158, 1163; 8 U. S. C. 737, 743)

**§ 360.5 Division of the year for accounting for naturalization fees.** For the purpose of accounting for and reporting naturalization fees quarterly by clerks of courts, the fiscal year shall end on June 30 of any given calendar year and shall be divided as follows: First quarter ends September 30; second quar-

ter ends December 31; third quarter ends March 31; and fourth quarter ends June 30. (Sec. 342 (e), 54 Stat. 1162; 8 U. S. C. 742 (e))

**§ 360.6 Fees in United States courts; remittance.** All naturalization fees collected by clerks of United States district courts (except in Alaska and the District Court of the Virgin Islands of the United States) and the clerk of the District Court of the United States for the District of Columbia, shall be forwarded quarterly by a remittance payable to the order of the "Commissioner of Immigration and Naturalization, Washington, D. C." (Sec. 25, 49 Stat. 1813, sec. 342 (c), (d), (e), 54 Stat. 1162; 48 U. S. C. 1405x, 8 U. S. C. 742 (c), (d), (e))

**§ 360.7 Fees in other than United States courts; remittance.** One-half of all naturalization fees collected by clerks of courts other than those described in § 360.6 (including United States district courts in Alaska but excluding the District Court of the Virgin Islands of the United States), up to \$6,000 in any one fiscal year, shall be similarly remitted to the Commissioner of Immigration and Naturalization, Washington, D. C. Where the collections during the first quarter of any fiscal year equal or exceed \$1,500, the clerk shall remit all in excess of \$750; and where such collections for the first and second quarters equal or exceed \$3,000, the clerk shall remit all in excess of \$1,500; and where the collections for the first three quarters of the fiscal year equal or exceed \$4,500, the clerk shall remit all in excess of \$2,250; and in any case where the total collections for any fiscal year equal or exceed \$6,000, the clerk shall remit all fees or moneys so collected in excess of \$3,000. All naturalization fees collected by the clerk of the District Court of the Virgin Islands of the United States shall be paid into the Treasury of the Virgin Islands in accordance with the provisions of the Organic Act of the Virgin Islands. (Sec. 35, 49 Stat. 1816, sec. 342 (c), (d), (e), 54 Stat. 1162; 48 U. S. C. 1406h; 8 U. S. C. 742 (c), (d), (e))

**§ 360.8 Time for report of and accounting for fees collected.** The accounting for naturalization fees collected and the payment of fees over to the Commissioner of Immigration and Naturalization as provided in §§ 360.6 and 360.7, shall be made within thirty days from the close of each quarter of each and every fiscal year. (Sec. 342 (e), 54 Stat. 1162; 8 U. S. C. 742 (e))

**§ 360.9 Report of and accounting for spoiled and void papers.** (a) Where a declaration of intention, petition for naturalization, or certificate of naturalization is damaged, mutilated, or defaced in any manner, or is executed only partially and is never actually filed by the clerk of court, the original and all copies of such paper are to be marked "spoiled" and transmitted in the manner described in § 360.3 with the monthly report of the clerk of court on Form N-4. If a number has been allotted to such a declaration of intention or petition for naturalization, that number may be assigned to the next succeeding declaration of intention

or petition for naturalization, as the case may be.

(b) Where a completely executed declaration of intention or petition for naturalization is filed by a clerk of court and it later develops that such document is materially defective, it, nevertheless, must remain a part of the records of the court and the copies thereof must be disposed of as provided in § 360.3 and the fee accounted for in accordance with the provisions of §§ 360.6, 360.7, and 360.8. The district director who receives such defective paper will inform the declarant or petitioner of the defect, and, if such defective paper is a petition for naturalization, the petitioner will be further informed of the desirability of permitting the paper to be marked "void" in order that, if possible, the fee paid therefor may be refunded. At the same time such petitioner is to be informed that, if he so desires, he may exercise his right to have the petition submitted to the court for a judicial ruling, in which event no refund of the fee can be made. Where such petitioner requests that his petition be marked "void", such request shall be addressed to the Commissioner in triplicate. One copy of such request shall be attached to each copy of the petition. Clerks of courts in their "Monthly Reports" on Form N-4 and "Abstract of Collections" on Form N-7, shall separately list void declarations and petitions, according to the number, if any, assigned to them, and indicate by appropriate notation that same are "void". (Sec. 337 (e), 54 Stat. 1158; 8 U. S. C. 727 (e))

#### PART 361—OFFICIAL FORMS

Sec.

- 361.1 Official forms essential to exercise of jurisdiction.
- 361.2 Official forms; by whom supplied; to be used exclusively.
- 361.3 Official forms prescribed for use of clerks of naturalization courts.
- 361.4 Initial application for official forms.
- 361.5 Subsequent application for official forms.
- 361.6 Amendment of form for declaration of intention.
- 361.7 Amendment of forms for petitions for naturalization.
- 361.8 Discrepancies, corrections, or amendments in declarations of intention or petitions for naturalization.
- 361.9 Amendment of petition for naturalization or certificate of naturalization after final action by the court.

**AUTHORITY:** §§ 361.1 to 361.9, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR. 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 361.1 Official forms essential to exercise of jurisdiction.** Before exercising jurisdiction in naturalization proceedings, a competent court may cause the clerk of such court to obtain from the Immigration and Naturalization Service, in accordance with section 301 (c) of the Nationality Act of 1940, the proper blanks, records, order books, and supplies necessary in naturalization proceedings. Such jurisdiction may not be exercised until such official forms, records, and order books have been supplied to such court. Where sessions of the

## RULES AND REGULATIONS

court are held at different places, the judge of such court may require the clerk to obtain a separate supply of official forms, records, and order books for each such place. (Sec. 301 (c), 54 Stat. 1140; 8 U. S. C. 701 (c))

**§ 361.2 Official forms; by whom supplied; to be used exclusively.** Official forms, records, and order books shall be supplied by the Immigration and Naturalization Service exclusively, and only such forms, records, and order books shall be used in naturalization and citizenship proceedings. (Sec. 327 (d), 54 Stat. 1151; 8 U. S. C. 727 (d))

**§ 361.3 Official forms prescribed for use of clerks of naturalization courts.** The following forms only shall be used by clerks of courts having naturalization jurisdiction, in the exercise of such jurisdiction, to wit:

*Form No. Title and description*

- N-3.... Requisition for Naturalization Forms.
- N-4.... Monthly Report of Forms Forwarded.
- N-5.... Monthly Report of Forms Forwarded, Continuation Sheet.
- N-7.... Abstract of Collections of Naturalization Fees.
- N-300.. Application for Certificate of Arrival and Preliminary Form for Declaration of Intention.
- N-315.. Declaration of Intention (loose-leaf, original, duplicate, and triplicate).
- N-400.. Application for Certificate of Arrival and Preliminary Form for Petition for Naturalization.
- N-405.. Petition for Naturalization (loose-leaf, original, duplicate, and triplicate). (For use under general provisions of law.)
- N-406.. Petition for Naturalization (loose-leaf, original, duplicate, and triplicate). (For spouses of citizens.)
- N-407.. Petition for Naturalization (loose-leaf, original, duplicate, and triplicate). (For children.)
- N-414.. Acknowledgment of Filing Petition for Naturalization.
- N-450.. Notice of Intention to Substitute Witnesses.
- N-451.. Affidavit of Witnesses (detached).
- N-460.. Notice to Take Depositions.
- N-470.. Application for the Benefits of Section 307 (b) of the Nationality Act of 1940.
- N-490.. Order of Court Granting Petitions (loose-leaf).
- N-491.. Order of Court Denying Petitions (loose-leaf).
- N-550.. Certificate of Naturalization.
- N-565.. Application for New Naturalization Paper in lieu of Lost, Mutilated, or Destroyed Original.
- N-575.. Application for a New Certificate of Naturalization Where Name Has Been Changed.
- N-577.. Application for Special Certificate of Citizenship.
- N-585.. Application for Certification of (1) a Certificate of Naturalization or Citizenship, or of (2) a Naturalization Record.
- N-600.. Application for Certificate of Derivative Citizenship.

(Secs. 327 (d), 331, 332, 336, 54 Stat. 1151, 1153, 1154, 1157; 8 U. S. C. 727 (d), 731, 732, 736)

**§ 361.4 Initial application for official forms.** The necessary official blanks, records, and order books will be furnished by the Immigration and Naturalization Service to any court having jurisdiction

in naturalization proceedings upon the written application of the clerk of such court. Where the initial application for such supplies is made by a State court of record, it shall be accompanied by a certificate of the Attorney General of the State, certifying that said court is a court of record, having a seal, a clerk, and jurisdiction in actions at law or equity, or law and equity, in which the amount in controversy is unlimited. (Secs. 301 (a), (c), 327 (d), 54 Stat. 1140, 1151; 8 U. S. C. 701 (a), (c), 727 (d))

**§ 361.5 Subsequent application for official forms.** Included with the initial supply of official forms, records, and order books furnished to the various courts by the Immigration and Naturalization Service shall be Form N-3, entitled "Requisition for Naturalization Forms," and thereafter said form shall be used by clerks of courts in making requisition for blanks, records, and order books for use in naturalization proceedings in their respective courts. (Secs. 301 (c), 327 (d), 54 Stat. 1140, 1151; 8 U. S. C. 701 (c), 727 (d))

**§ 361.6 Amendment of form for declaration of intention.** The official form for declaration of intention shall be altered by the clerk of court, where the declaration of intention is executed by an applicant who is not required by law to obtain a certificate of arrival, by striking out the following language immediately after the jurat: "that Certification No. — from the Commissioner of Immigration and Naturalization, showing the lawful entry for permanent residence of the declarant above named on the date stated in this declaration of intention, has been received by me, and". (Sec. 331, 54 Stat. 1153; 8 U. S. C. 731)

**§ 361.7 Amendment of forms for petitions for naturalization.** The official forms for petitions for naturalization shall be altered by the clerk of court or, where the petition is filed under § 339.1 of this chapter, by the designated representative of the Immigration and Naturalization Service, as follows:

(a) **Exemption from declaration of intention.** Where a declaration of intention is not required to be filed with the clerk of court at the filing of the petition for naturalization and the petition is filed on Form N-405, by striking out all of allegation 13, and, in the certification following the jurat, by striking out "together with Declaration of Intention No. — of such petitioner".

(b) **Exemption from certificate of arrival.** Where a certificate of arrival is not required to be filed with the clerk of court at the filing of the petition for naturalization, by striking out portions as follows: (1) If petition is filed on Form N-405, in allegation 11 the words "as shown by the certificate of my arrival attached to this petition" and, in the certification following the jurat, the words "Certificate of Arrival No. — from the Immigration and Naturalization Service, showing the lawful entry for permanent residence of the petitioner above named, together with". (2) If petition is filed on Form N-406, in allegation 11 the words "as shown by the certificate of my arrival attached to this

petition" and the entire certification following the jurat. (3) If the petition is filed on Form N-410, in allegation 8 the words "as shown by the certificate of my arrival attached to this petition" and the entire certification of the clerk immediately following the jurat. (4) If the petition is filed on Form N-412, in allegation 11 the words "as shown by the certificate of my arrival attached to this petition" and the entire certification of the clerk immediately following the jurat.

(c) **Exemption from residence in the United States and State.** Where residence in the United States and State for any specified period or proof thereof is not required, by striking out allegations 12 and 18 if the petition is filed on Form N-405 or Form N-406.

(d) **Exemption from lawful admission for permanent residence.** Where a lawful admission for permanent residence is not required, by striking out allegation 11 if the petition is filed on Form N-405.

(e) **Exemption from lawful admission.** Where a lawful admission is not required, by striking out the words "lawful admission to" and adding in lieu thereof the words "entry into" in allegation 8 if the petition is filed on Form N-410, and the word "lawful" in allegation 11 if the petition is filed on Form N-412.

(f) **Military or naval service beyond the continental limits of the United States and petition filed under section 701 of the Nationality Act of 1940, as amended.** Where an allegation of service in the military or naval forces of the United States beyond the continental limits of the United States is appropriate, by adding to allegation 9 if the petition is filed on Form N-410, or to allegation 12 if the petition is filed on Form N-412, the words "and during such service I served honorably beyond continental United States, to wit, in ——————".

(Place of service)

(g) **Petition under section 702 of the Nationality Act of 1940, as amended.**

(1) Where no certificate of arrival is required, by striking out of Form N-411 the words "lawful admission to" and adding in lieu thereof the words "entry into" in allegation 8 and by striking out the first sentence and the second word of the second sentence from the certification appearing in the last paragraph of the Affidavit of Witnesses and Certificate of Petitioner's Service, and (2) where the petitioner designates the place in which he desires the record of his naturalization to be filed, by adding to allegation 12 in Form N-411 "I request that the record of these proceedings be filed with the clerk of a court exercising naturalization jurisdiction over ——————".

(City)

—————— This addition (State)

may be continued in the space following allegation 13 and such continuance indicated by asterisks. Any provisions of this paragraph which may become unnecessary because of revisions of Form N-411 shall be disregarded when such revised forms are used. (Sec. 332, 54 Stat. 1154; 8 U. S. C. 732)

**§ 361.8 Discrepancies, corrections, or amendments in declarations of intention**

or petitions for naturalization. Any material discrepancies in a declaration of intention or proposed amendments to a petition for naturalization shall be brought formally to the attention of the court for appropriate action at the final hearing upon the petition for naturalization. Except as authorized by §§ 325.2, 361.6, and 361.7, no requests or suggestions to clerks of courts to make corrections in a declaration of intention or petition for naturalization shall be made by any member of the Immigration and Naturalization Service. When the court orders a petition for naturalization, or the declaration of intention filed with and made a part of such petition, amended at a final hearing, the amendatory order shall be prepared in triplicate, and the original of such order filed with the original petition, and the duplicate and triplicate copies transmitted to the appropriate district or divisional director, who shall forward the duplicate order to the Central Office. (Secs. 331, 332, 334 (d), 54 Stat. 1153, 1154, 1157; 8 U. S. C. 731, 732, 734)

**§ 361.9 Amendment of petition for naturalization or certificate of naturalization after final action by the court—**

(a) **Petition for naturalization.** Where an application is made to the naturalization court for amendment of a petition for naturalization, after the petition for naturalization has been granted, the facts shall be reported to the Central Office, with appropriate recommendation, for consideration and instruction as to the position to be taken by the Service when such application comes before the court for disposition. In the absence of instructions from the Central Office, the representative of the Service shall oppose all applications to any court for such amendments which affect either the jurisdiction of the court or the judgment of naturalization. No objection shall be made to a proposed amendment to a petition for naturalization to correct a clerical mistake or an error therein arising from an oversight or omission on the part of the clerk of court or the Service. The Service shall be governed by the rules of the court in which the petition for naturalization was filed in determining whether the petition to amend the petition for naturalization is timely.

(b) **Certificate of naturalization.** Objection shall be made to the alteration of a certificate of naturalization which would cause it to vary from the record on which the naturalization was granted. (Rules 6 (c) and 60 (a), Federal Rules of Civil Procedure, which are set forth following 28 U. S. C. 723c; secs. 331, 332, 336, 54 Stat. 1153, 1154, 1157; 8 U. S. C. 731, 732, 736)

**PART 362—REGISTRY OF ALIENS UNDER NATIONALITY ACT OF 1940**

Sec.	
362.1	Who may be registered.
362.2	Application for registry; form; fee.
362.3	Attorneys.
362.4	Procedure upon receipt of application.
362.5	Entry upon which application for registry must be based; continuity of residence.
362.7	Facts essential to be established.
362.8	Evidence; burden of proof.

Sec.	
362.9	Examination and investigation.
362.10	Record; recommendation, review, and disposition.
362.11	Authorization or denial; procedure thereafter.
362.12	Certificate of lawful entry; delivery.
362.13	Replacement of certificate lost, mutilated, or destroyed.

**AUTHORITY:** §§ 362.1 to 362.13, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 362.1 to 362.13, inclusive, interpret and apply secs. 328 (b), 342 (b) (1), 54 Stat. 1152, 1161; 8 U. S. C. 728, 742 (b) (1).

**§ 362.1 Who may be registered.** Any alien not ineligible to citizenship in whose case there is no record showing lawful admission to the United States for permanent residence, who makes a satisfactory showing to the Commissioner of Immigration and Naturalization in accordance with this part that he (a) entered the United States prior to July 1, 1924; (b) has resided in the United States continuously since such entry; (c) is a person of good moral character; and (d) is not subject to deportation, may have a record of his entry made upon payment of the statutory fee of \$18.

**§ 362.2 Application for registry; form; fee.** Application for registry shall be made on Form N-105 (Application for Registry of an Alien) and shall be submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The application shall be signed by the applicant on page 3 of the form, but shall not be subscribed and sworn to or affirmed on page 4 until the applicant appears before an officer of the Immigration and Naturalization Service for examination as provided in § 362.9 (a). The application shall be accompanied by the statutory fee of \$18, remitted as prescribed in § 60.30 (b) of this chapter. The application shall also be accompanied by the originals of such documentary evidence, or pertinent excerpts therefrom if the documents are lengthy or bulky, as the applicant may have showing his continuous residence in the United States since June 30, 1924, and his good moral character. If the applicant desires any such documents returned to him, his application should also be accompanied by photostatic, photographic, or typewritten copies of such documents. The applicant shall also submit three photographs of himself as prescribed in § 364.1 of this chapter.

**§ 362.3 Attorneys.** Attorneys and other persons qualified to practice before the Immigration and Naturalization Service, who represent applicants for registry, shall be permitted upon completion of the application and examination of the applicant and his witnesses to review the record, either before it is forwarded to the Central Office or thereafter and prior to final decision. They may submit briefs and, upon sufficient notice, shall be given opportunity to present oral argument before the Central Office. When final decision is made in a case, the attorney representing the applicant shall be entitled to notification.

**§ 362.4 Procedure upon receipt of application.** (a) Upon receipt of an application in an immigration and naturali-

zation office, the application and any Service records relating to the applicant shall be examined to determine whether (1) the application contains sufficient data to show that the applicant has the qualifications prescribed in § 362.1; (2) the documentary evidence appears reasonably adequate to support the application; and (3) it has been ascertained conclusively that no valid record exists of the applicant's lawful admission for permanent residence. If these requirements have not been met, the field office may defer acceptance of the application. In that event the application, money order, photographs, and documentary evidence shall be returned to the applicant with a request that additional information or evidence be submitted or, if efforts are to be made to locate a record of admission for permanent residence, with advice that such action is being taken.

(b) Efforts to verify the claimed entry shall be made even though the applicant alleges that he was not inspected at a port of entry. If such efforts are unsuccessful, the applicant may be notified that he may resubmit his application.

(c) Upon receipt of the application properly prepared and accompanied by evidence deemed satisfactory, or by a statement of the applicant that such evidence cannot be obtained, and after it has been ascertained conclusively that no valid record of the applicant's admission for permanent residence exists, the field office shall accept the application and money order. At that time, or later if necessary, the applicant shall be notified when and where he should appear for examination.

**§ 362.5 Entry upon which application for registry must be based; continuity of residence.** The entry upon which an application for registry must be based shall be the entry by which the applicant first entered the United States, provided he has since maintained a continuous residence therein. If an absence has occurred since such entry the applicant must show that it did not break the continuity of his residence in the United States. In determining whether continuous residence in the United States has been broken, consideration shall be given to the applicant's intention and purpose in absenting himself, and to his activities while absent. In case continuity of residence has been broken by any absence, the application must be considered as based upon the applicant's last entry since which he has maintained a continuous residence in the United States.

**§ 362.7 Facts essential to be established.** It must be established to the satisfaction of the Commissioner of Immigration and Naturalization (a) that the applicant is an alien not ineligible to citizenship; (b) that there is no record of the entry upon which his application must be based, as determined by § 362.5; (c) that such entry occurred prior to July 1, 1924; (d) that he has resided continuously in the United States since such entry or at least since a date prior to July 1, 1924; (e) that he is a person of good moral character, as determined from evidence of his conduct for a reasonable period next preceding the date of

## RULES AND REGULATIONS

his examination, which ordinarily should not be more than five years; and (f) that he is not subject to deportation.

**§ 362.8 Evidence; burden of proof.** The record shall include the affidavits of such number of credible witnesses, preferably citizens of the United States, concerning the moral character and continuity of residence of the applicant as may be deemed necessary. Where practicable such affidavits shall be made on Form N-120 (Affidavit of Witness in Registry Proceedings). Documentary evidence such as bank books, leases, deeds, licenses, receipts, letters, and birth, marriage, church, school, employment and police records, or similar evidence shall, so far as possible, be used in establishing the essential facts to which such documentary evidence is relevant. Where by reason of conditions known or shown to exist it is reasonable to believe that such evidence is not obtainable, other relevant evidence shall be considered. The burden of proof shall be upon the applicant. In presenting such proof he shall be entitled to the benefit of any records concerning his entry which are in the custody of the Immigration and Naturalization Service.

**§ 362.9 Examination and investigation—(a) Examination of applicant.** At the examination, the examining officer shall orally review the application with the applicant. Any necessary changes shall be consecutively numbered by such officer and acknowledged in the oath or affirmation which is a part of the application. The examining officer shall then administer the oath or affirmation contained on page 4 of Form N-105 and obtain the applicant's signature at the appropriate place. Only in cases in which the examining officer deems the action necessary shall a further examination of the applicant be made by interrogation, under oath or affirmation, but in such cases a transcript of the additional testimony taken shall be incorporated as a part of the record. When no longer required, the original documents submitted by the applicant shall be returned to the applicant if photostatic or other copies thereof have been supplied by him for the record. If the examining officer is satisfied as to the authenticity of the documents and is satisfied that such photostatic or other copies are true and correct, he shall return the original documents to the applicant at the conclusion of the examination and incorporate the copies into the record which is submitted to the Central Office.

**(b) Examination of witnesses.** Witnesses shall be examined orally under oath or affirmation in accordance with the interrogatories of Form N-120. Should additional statements be deemed necessary, witnesses shall be interrogated under oath or affirmation, and a transcript of their testimony shall be made a part of the record. Witnesses located within a reasonable distance of the place of examination shall be required to appear in person to execute Form N-120, and for oral examination. When witnesses cannot appear because of remoteness, disability, or other sufficient cause, their affidavits may be accepted without requiring their personal appearance.

What constitutes remoteness, disability, or other sufficient cause within the meaning of this paragraph shall be determined by the officer in charge of the district or subdistrict in which the witnesses are located.

**(c) Investigations in other districts.** Necessary investigations in other districts may, when feasible, be conducted by correspondence. Where it is considered useful to obtain information from records and there is reasonable ground to believe that such action will accomplish material results, such further investigations may be made by correspondence.

**(d) Purpose of examinations.** The purpose of all examinations shall be to obtain evidence bearing upon the applicant's qualifications for registry and the qualifications of his witnesses. Records in registry proceedings shall be restricted to the accomplishment of this purpose.

**§ 362.10 Record; recommendation, review, and disposition.** Upon completion of the examination, the examining officer shall prepare a report of his findings on Form N-125 (Findings in Application for Registry) as to each of the six essential facts to be established as prescribed by § 362.7, together with his recommendation and any comment he deems necessary. If denial of the application is recommended, a statement shall be made of the supporting grounds and reasons therefor. When recommendation is made that the application be granted and such action is based primarily on other than documentary evidence, a brief statement of the facts and circumstances in evidence considered sufficient to justify such action shall be made. When recommendation to grant the application is based principally on documentary evidence, that fact shall be stated. The record, supporting documents, and photographs, and the findings and recommendation of the examining officer shall then be forwarded to the district director. That officer, or an officer designated by him for that purpose, shall thereupon review the record, both as to procedural requirements and the findings and recommendation, and shall himself or through his designated substitute prepare and execute Form N-130 (Record of Investigation of Applicant for Registry) in triplicate. If such review leads to a different recommendation from that of the examining officer, the reasons therefor shall be stated briefly on Form N-130. The entire record shall then be transmitted to the Central Office.

**§ 362.11 Authorization or denial; procedure thereafter.** If the Commissioner of Immigration and Naturalization is satisfied from the record and accompanying documents that the applicant is entitled to registry, an order to that effect will be entered on Form N-130. The original of said form shall be retained in the Central Office, and the duplicate forwarded to the officer in charge of the district where entry occurred. That officer shall consummate the registry by making duplicate Form N-130 a part of the records of the port through which, or port nearest to the place where, the alien entered the United

States. If the port or place through which applicant entered the United States is in a district other than that in which his application for registry originated, the officer in charge of the district where the application was filed shall be furnished with triplicate Form N-130 for his records. The triplicate and duplicate copies of said form shall be sent to the head of the district wherein entry occurred when the place where the application was filed is in the same district. If the Commissioner of Immigration and Naturalization is not satisfied from the record and accompanying documents that the applicant is entitled to registry, the application shall be denied, and the head of the district wherein the application was filed advised of the action. If denied on the ground that applicant is subject to deportation, the Central Office shall take such further action as may be considered advisable.

**§ 362.12 Certificate of lawful entry; delivery.** In all cases where the application is granted, Form N-135 (Certificate of Lawful Entry) shall be issued with the photograph of the applicant affixed. The certificate shall be mailed to the officer in charge of the district wherein the application originated, for delivery. Before delivery, the certificate shall be signed by the applicant in the presence of an immigration and naturalization officer, who shall likewise sign it.

**§ 362.13 Replacement of certificate lost, mutilated, or destroyed.** If a certificate of lawful entry issued to an alien is lost, badly mutilated, or destroyed, application for a duplicate shall be made in affidavit form, accompanied by three photographs of the applicant of the size and type prescribed in § 364.1 of this chapter. The application shall also be accompanied by the fee of 50 cents required by § 383.4 of this chapter, such fee being remitted as prescribed in § 60.30 (b) of this chapter. The application shall be submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The application, which shall be executed in duplicate, shall recite the circumstances of the loss or destruction of the certificate. If replacement is being sought because of mutilation of the original certificate, the latter must be forwarded with the application. The officer receiving the application shall forward the original thereof and accompanying photographs, together with appropriate recommendation, to the district director for transmission to the Central Office. Upon delivery of the duplicate certificate, the applicant shall be instructed that if the original certificate alleged to have been lost or destroyed is later found, it must be delivered to an immigration and naturalization officer for transmission to the Central Office.

## PART 363—CERTIFICATE OF ARRIVAL

Sec.

- 363.1 Official form of certificate of arrival; contents; by whom issued.
- 363.2 When necessary in order to make declaration of intention.
- 363.3 Certificate of arrival to be filed with petition for naturalization.
- 363.4 Petitioners who are exempt from requirement of certificate of arrival.

## Sec.

363.5 Establishment of applicant's claim to exemption from certificate of arrival.  
 363.6 Applicant without record of lawful admission for permanent residence.  
 363.7 Presumed lawful admission; limitations.

AUTHORITY: §§ 363.1 to 363.7, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 363.1 to 363.7, inclusive, interpret and apply secs. 329, 332 (c), 54 Stat. 1152, 1156; 8 U. S. C. 729, 732 (c).

**§ 363.1 Official form of certificate of arrival; contents; by whom issued.** The certificate of arrival required by the Nationality Act of 1940 shall be issued only by the Immigration and Naturalization Service, and shall show the date, place, and manner of arrival and whether lawful entry for permanent residence was made, as shown by the record of arrival. Such certificates of arrival shall be issued only on Form N-210, N-215, N-220, N-225, or N-230, whichever is applicable, except that the certificate of arrival required under § 339.2 (b) of this chapter may be in the form of the certification by the designated representative of the Immigration and Naturalization Service as it appears in the last paragraph of the Affidavit of Witnesses and Certificate of Petitioner's Service on Form N-411.

**§ 363.2 When necessary in order to make declaration of intention.** A person who arrived in the United States after June 29, 1906, cannot file a valid declaration of intention until a certificate of arrival has been issued in accordance with § 363.1. A person who alleges and establishes that he entered the United States on or prior to June 29, 1906, and has since continued to reside therein, may file a declaration of intention without the issuance of a certificate of arrival.

**§ 363.3 Certificate of arrival to be filed with petition for naturalization.** Each petitioner for naturalization who entered the United States after June 29, 1906, shall, unless specifically exempted by the Nationality Act of 1940 from the requirement of a certificate of arrival, file with his petition for naturalization a certificate of arrival issued in accordance with § 363.1. Such certificate of arrival shall be filed with the petition for naturalization at the time the petition is filed. The certificate of arrival issued to support a declaration of intention in accordance with § 363.2, may be used in support of the petition for naturalization.

**§ 363.4 Petitioners who are exempt from requirement of certificate of arrival.** The following persons may file petitions for naturalization without the issuance of a certificate of arrival: (a) persons who entered the United States for permanent residence on or prior to June 29, 1906; (b) petitioners under sections 317 (a) (b) (c), 318, 322, 323, 324, and 325 of the Nationality Act of 1940; and (c) petitioners under sections 701 and 702 of the Nationality Act of 1940, as amended, within group (b) of said section 701.

**§ 363.5 Establishment of applicant's claim to exemption from certificate of**

arrival. If an applicant claims exemption from procuring a certificate of arrival, a thorough investigation shall be conducted to establish the validity of the claim. The clerk of court shall defer the execution of a declaration of intention or petition for naturalization by such an applicant until he has been advised by the proper representative of the Service that such paper may be filed.

**§ 363.6 Applicant without record of lawful admission for permanent residence.** Where an applicant for a declaration of intention or a petition for naturalization alleges entry into the United States after June 29, 1906, and prior to July 1, 1924, and no record of his lawful entry for permanent residence can be found, he shall be advised to apply for registry in accordance with the provisions of Part 362 of this chapter.

**§ 363.7 Presumed lawful admission; limitations.** No certificate of arrival shall be issued in behalf of an alien on the basis of an original entry which under the provisions of § 110.38 of this chapter is presumed for reentry purposes to have been a lawful admission for permanent residence. A certificate of arrival will be issued on the basis of the reentry of such an alien where there is a manifest record showing that the reentry was by lawful admission for permanent residence.

## PART 364—PHOTOGRAPHS

## Sec.

364.1 Description of required photographs.  
 364.2 Naturalization and citizenship papers requiring photographs; manner of attachment.  
 364.3 Establishment of welfare photographic studios.

AUTHORITY: §§ 364.1 to 364.3, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 364.1 to 364.3, inclusive, interpret and apply sec. 327 (h), 54 Stat. 1151, as amended by the act of May 16, 1947 (Pub. Law 66, 80th Cong., ch. 72), sec. 330, 54 Stat. 1152; 8 U. S. C. 727 (h), 730.

**§ 364.1 Description of required photographs.** Every applicant required under this subchapter to furnish photographs of himself, shall furnish three such photographs 2 by 2 inches in size, which shall be unmounted, printed on a thin paper, have a light background, clearly show a full front view of the features of the applicant (with head bare, unless the applicant is a member of a religious order wearing a headdress), with the distance from the top of head to point of chin approximately 1 1/4 inches, and which shall have been taken within 30 days of the date they are furnished. The applicant, except in the case of a child or other person physically incapable of signing his name, shall sign each copy of the photograph with his full true name in such manner as not to obscure the features. The signature shall be by mark if the applicant is unable to write. Snapshot, group, or full-length portraits will not be accepted.

**§ 364.2 Naturalization and citizenship papers requiring photographs; manner of attachment.** Each duplicate and triplicate declaration of intention and origi-

nal and duplicate certificate of naturalization issued by any clerk of court shall have securely and permanently attached thereto one copy of the applicant's signed photograph. Each copy of a declaration of intention, certificate of naturalization, certificate of derivative citizenship, special certificate, and certificate in a new name issued by the Central Office shall also have securely and permanently attached thereto a signed photograph of the applicant. In each case in which a seal is affixed to a naturalization or citizenship paper containing a photograph of the applicant, the imprint of a part of the seal shall be affixed so as to extend over the lower portion of the photograph in such manner as not to obscure the features of the applicant. The third print of the photograph will be retained by the field office of the Service in its appropriate file.

**§ 364.3 Establishment of welfare photographic studios.** District directors shall, after investigation, make reports and recommendations to the Commissioner concerning the desirability of the establishment and operation by welfare organizations without profit of photographic studios, solely for the benefit of aliens seeking naturalization. Quarters for such purpose must be in a building occupied by the Service, and be conducted under the supervision of the Commissioner of Immigration and Naturalization. Such welfare organizations shall have the confidence of the district director and shall submit an annual accounting to the Commissioner of the conduct of such studio.

## PART 365—DECLARATION OF INTENTION

## Sec.

365.1 Preliminary form for declaration of intention; to whom sent.  
 365.2 Notification to appear and file declaration of intention.  
 365.3 Prerequisites to filing.  
 365.4 How executed.  
 365.5 How disposed of.  
 365.6 How numbered.  
 365.7 Oath.

AUTHORITY: §§ 365.1 to 365.7 inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 365.1 to 365.7, inclusive, interpret and apply secs. 329, 331, 337 (a), 54 Stat. 1152, 1153, 1158; 8 U. S. C. 729, 731, 737 (a).

**§ 365.1 Preliminary form for declaration of intention; to whom sent.** Each prospective declarant shall be required to fill out properly and sign preliminary application Form N-300 and submit it, with three photographs as prescribed in Part 364 of this chapter, to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter.

**§ 365.2 Notification to appear and file declaration of intention.** Following the submission of the preliminary Form N-300, as described in § 365.1, the applicant will be notified when and where to appear to file the declaration of intention.

**§ 365.3 Prerequisites to filing.** No declaration of intention shall be executed or issued by any clerk of court for any applicant until such applicant has reached the age of 18 years, nor for

## RULES AND REGULATIONS

any applicant who arrived in the United States after June 29, 1906, until a certificate of applicant's lawful entry into the United States for permanent residence has been issued by the Commissioner or a Deputy Commissioner of Immigration and Naturalization in accordance with Part 363 of this chapter, and a certification of such arrival has been furnished to the clerk of court on Form N-210-A, N-225-A, or N-230-A.

**§ 365.4 How executed.** The declaration of intention, together with the duplicate and triplicate copies thereof, shall be executed by the alien before the clerk of any court exercising naturalization jurisdiction or his authorized deputy, regardless of the place of residence of the applicant, and only in the office of said clerk. The declaration of intention shall be issued only on the official form furnished by the Immigration and Naturalization Service.

**§ 365.5 How disposed of.** The original of such declaration shall be retained and filed of record by such clerk of court, and the duplicate declaration with Form N-210-A, N-225-A, or N-230-A, and the second sheet of Form N-300 shall be forwarded to the proper district director or divisional director on the first day of the month following the month in which the declaration is filed, and the triplicate shall be delivered forthwith to the alien.

**§ 365.6 How numbered.** Declarations of intention shall be numbered in a series separate from petitions, in the order in which filed.

**§ 365.7 Oath.** At the time of the execution of the declaration of intention, the following oath or affirmation shall be administered to the declarant in the office of the clerk of court: "You do swear (affirm) that the statements you have made and the intentions you have expressed in this declaration of intention subscribed by you are true to the best of your knowledge and belief: So help you God."

## PART 370—PETITION FOR NATURALIZATION

Sec.

- 370.1 Preliminary form; to whom sent.
- 370.2 Notification to appear and file petition for naturalization.
- 370.3 Petition to be executed before and in office of the clerk of court.
- 370.4 Verification of petition for naturalization; proof of residence, good moral character, and other requirements.
- 370.5 Oath of petitioner and witnesses.
- 370.6 Numbering of petitions.
- 370.7 Indexing of petitions involving change of name.
- 370.8 Preliminary naturalization examinations; facts to be ascertained; manner of conducting and uniformity; limitation.
- 370.9 Material statements of applicants and witnesses to be in writing, under oath.
- 370.10 Review of field investigations.

**AUTHORITY:** §§ 370.1 to 370.10, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 370.1 to 370.10, inclusive, interpret and apply secs. 307, 309, 392, 333, 54 Stat. 1142, 1143, 1154, 1156.

**§ 370.1 Preliminary form; to whom sent.** Each prospective petitioner for naturalization shall be required to fill out properly and sign preliminary application Form N-400 and submit it, with three photographs as prescribed in Part 364 of this chapter and the applicant's declaration of intention if required, to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter.

**§ 370.2 Notification to appear and file petition for naturalization.** Following the submission of the preliminary Form N-400, as described in § 370.1, the applicant will be notified when and where to appear to file the petition for naturalization.

**§ 370.3 Petition to be executed before and in office of the clerk of court.** The petition for naturalization and the duplicate copy thereof shall be executed by the petitioner and his witnesses before the clerk of the court exercising jurisdiction or his authorized deputy, and only in the office of said clerk. Upon the execution of the petition, the clerk shall furnish to the petitioner on Form N-414 an acknowledgment of the filing of the petition.

**§ 370.4 Verification of petition for naturalization; proof of residence, good moral character, and other requirements.** A petitioner for naturalization, except where granted special exemption by law from the usual requirements as to residence, shall, at the time he files his petition, verify it by the affidavits of at least two credible witnesses, citizens of the United States, who shall appear in person and who shall have and aver knowledge of the petitioner at each place of his residence in the State where then residing during the period of at least six months immediately prior to the filing of the petition. If the petitioner has resided at two or more places in the State during such six months' period, and for this reason two witnesses cannot be procured to verify the petition as to all such residence, additional witnesses may be used but their affidavit shall be executed in triplicate on Form N-451, one copy of which affidavit shall be attached to the original petition and the others to the duplicate and triplicate petitions, respectively, at the time of filing the petition. Each of the witnesses named in this section shall state in his affidavit that he has personally known the petitioner to have been a resident at such place for such period and that the petitioner was, during all such time, a person of good moral character, attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the United States.

**§ 370.5 Oath of petitioner and witnesses.** The petition for naturalization shall be executed under oath or affirmation. The following oath or affirmation shall be administered to the petitioner: "You do swear (affirm) that you know the contents of this petition for naturalization subscribed by you, that the same are true to the best of your own knowledge, except as to matters therein stated to be alleged upon information and belief, and that as to those matters you believe them to be true, and that this

petition was signed by you with your full, true name: So help you God."

The following oath or affirmation shall be administered to each of the witnesses who verify the petition: "You do swear (affirm) that the statements of fact you have made in the affidavit of this petition for naturalization subscribed by you are true to the best of your knowledge and belief: So help you God."

**§ 370.6 Numbering of petitions.** Petitions for naturalization shall be numbered in a series separate from declarations of intention in the order in which filed.

**§ 370.7 Indexing of petitions involving change of name.** Where a change of a petitioner's name has been finally ordered by the court, the clerk of court shall enter both the name by which the petitioner was originally known and his name, as changed, in the index of petitions for naturalization.

**§ 370.8 Preliminary naturalization examinations; facts to be ascertained; manner of conducting and uniformity; limitation.** Wherever practicable, preliminary examinations of applicants for naturalization and their witnesses shall be made in person and under oath. The applicant and each witness shall be interviewed separately and apart from one another. The purpose of such examinations shall be to obtain accurate and material information bearing upon the applicant's admissibility to citizenship and the qualifications of the witnesses. Both the applicant and the witnesses shall be carefully interrogated to determine whether the applicant has complied with the jurisdictional requirements of law; is mentally and morally qualified for citizenship; is attached to the principles of the Constitution of the United States, and is well disposed to the good order and happiness of the United States. If the applicant has been arrested or charged with the violation of any law or ordinance, the facts shall be ascertained, including information as to whether conviction resulted and the nature and extent of any sentence which may have been imposed. Particular attention shall be given to ascertaining the applicant's complete marital history and the whereabouts of his or her spouse, if married, and minor children, if any. Questions to applicants and witnesses shall be repeated in different form and elaborated, if necessary, until the examining officer is satisfied that the person being interrogated fully understands them. The witnesses shall be questioned to develop not only their own credibility and competency but also the extent of their personal knowledge of the applicant's residence, good moral character, attachment to the principles of the Constitution of the United States, and other qualifications for citizenship. Search shall be made of appropriate court and other records and other available sources of information in establishing the qualifications of the applicant and witnesses. The examination shall be limited to inquiry concerning the applicant's residence, good moral character, understanding of and attachment to the fundamental principles of the

Constitution of the United States, and his other qualifications to become a naturalized citizen, and shall be uniform throughout the United States.

**§ 370.9 Material statements of applicants and witnesses to be in writing, under oath.** Material statements of applicants for naturalization or applicants for certificates of citizenship or other naturalization or citizenship documents, and their witnesses, shall, where deemed necessary by the naturalization officer, be taken down in writing and under oath and signed by the applicant or witness.

**§ 370.10 Review of field investigations.** District directors and divisional directors shall, so far as possible, review the records of field investigations, either personally or through some duly designated member or members of the field staffs of their offices, and assign any available examiners, when advisable, to conduct further investigations, especially outside the offices of the Service.

**PART 373—NATURALIZATION HEARINGS AND PROOF OF NATURALIZATION REQUIREMENTS**

Sec.

- 373.1 Preliminary hearings under section 333 of the Nationality Act of 1940.
- 373.2 Proof at the hearing of residence and other qualifications within or without the State, but prior to the six months' period.
- 373.3 Depositions; procedure.
- 373.4 Substitution of witnesses; procedure.
- 373.5 Certificate by examiner where petitioner is exempt from certain residential requirements; immediate hearing.
- 373.6 Naturalization rule days.
- 373.7 Personal representation of Government at court hearings.
- 373.8 Written report in lieu of personal representation at final hearings.
- 373.9 Objections; form and content; procedure when overruled.
- 373.10 Procedure where petitioner for naturalization appears to be a citizen of the United States.

**AUTHORITY:** §§ 373.1 to 373.10, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 373.1 Preliminary hearings under section 333 of the Nationality Act of 1940.** (a) Preliminary hearings conducted under section 333 of the Nationality Act of 1940 shall be open to the public. Wherever possible, a member of the Service other than the person who conducted the preliminary examination, shall serve as designated examiner. Preliminary hearings shall be conducted in person by the designated examiner, or officer, and the petitioner and his witnesses shall be present. The petitioner and witnesses shall first be duly sworn. The designated examiner shall have before him at the preliminary hearing the record of the preliminary examination in each case. He shall not, however, be limited to the information contained in such record, but may use any material evidence or data received from any other source; and he may present and examine other wit-

nesses than those produced by the petitioner.

(b) After the conclusion of the preliminary hearing in each case, where it is determined to make a favorable recommendation to the court, the witnesses in such case may be excused from further appearance. In any case where the recommendation is unfavorable, the designated examiner shall inform the petitioner of his right to appear before the court in person with his witnesses at the final hearing.

(c) At the time the designated examiner or officer conducts the preliminary hearing of each petitioner he shall enter on Form N-476 the petition number, petitioner's name, and, upon completion of the examination, fill in the symbols indicating his findings and a brief notation of the reasons for any unfavorable finding. This docket shall be signed by him and shall be made available to the court whenever desired, and after the final hearing shall be filed of record in the field office.

(d) The designated examiner or officer shall prepare in triplicate his findings and recommendations for presentation to the court on Forms N-480 or N-481 for petitions recommended to be granted, on Form N-483 for petitions recommended to be continued, and on Form N-484 for petitions recommended to be denied. These findings and recommendations shall be signed by the officer in attendance at the final hearing and submitted to the judge of the court at or before the final hearing. After the final hearing has been held, an order of court shall be prepared in triplicate on Form N-482 for petitions recommended to be granted, on Form N-483 for petitions recommended to be continued, and on Form N-484-A for petitions recommended to be denied. The original order of court shall be presented for signature to the judge who presided at the final hearing. The originals of all of the forms named in this paragraph shall be filed permanently in the court, the duplicates forwarded by the clerk of court through the appropriate field office to the Central Office, and the triplicates filed in the field office. (Secs. 333, 334 (b), 54 Stat. 1156; 8 U. S. C. 733, 734 (b))

**§ 373.2 Proof at the hearing of residence and other qualifications within or without the State, but prior to the six months' period.** At the preliminary hearing upon the petition for naturalization before a designated examiner, or, if no preliminary hearing is held, at the final hearing before the court, the petitioner shall prove the qualifications required by section 307 (a) of the Nationality Act of 1940 either by depositions taken in accordance with § 373.3, or by the oral testimony of at least two credible citizen witnesses for each place of his residence except that proof, where required, of the petitioner's residence in the State where the petition is filed during at least six months immediately preceding its filing shall be made only by the oral testimony of such witnesses. Where oral testimony to establish residence prior to the period of six months immediately preceding the filing of the peti-

tion is taken before a court or before a designated examiner, an affidavit on Form N-451 shall be executed by the witnesses in triplicate before the clerk of court or the designated examiner, one copy of which affidavit shall be attached to the original petition, and the others to the duplicate and triplicate petitions, respectively. Where the testimony of the witnesses is heard by a designated examiner they may be excused from appearance before the court at the final hearing, unless the petitioner otherwise demands or the court otherwise orders. (Secs. 307, 309, 327 (e), 333, 334, 54 Stat. 1142, 1143, 1151, 1156; 8 U. S. C. 707, 709, 727 (e), 733, 734)

**§ 373.3 Depositions; procedure.** Depositions may be used to prove compliance with the requirements for naturalization during any period except the minimum period of State residence. Such depositions shall be taken only upon written interrogatories on Form N-462. Whenever possible they shall be made before a naturalization examiner, but where there is a likelihood of unusual delay or of hardship, such depositions may be taken before a postmaster without charge, or before a notary public or other person authorized to administer oaths for general purposes, and such authorization shall be filed in the naturalization court with the depositions. The appropriate district director is hereby authorized to determine when an unusual delay or hardship is likely in such cases, and is authorized to appoint postmasters or other officers to take depositions in such cases. In cases where the depositions are taken other than before a naturalization examiner or postmaster, the alien shall be informed of the name and title of the officer designated to take the depositions, and the petitioner shall arrange with him independently of the Service to defray all costs and expenses therewith. When depositions are taken by the Service, the time and place shall be so fixed as to be as convenient as possible to all concerned, consistently with good administration. Where deponents reside at or in the vicinity of the local headquarters of the Service, the depositions shall, if possible, be taken in the office of the Field Service. In other cases, definite arrangements shall be made with deponents by correspondence prior to their appearance. The petitioner for naturalization shall have the right to be present or to be represented, if desired, when the depositions are taken. Depositions shall be sent to the officer having administrative supervision over the district in which the petition is filed, and by him forwarded to the clerk of court at any appropriate time prior to the final hearing upon the petition. (Secs. 309 (b), 327 (e), 54 Stat. 1143, 1151; 8 U. S. C. 709 (b), 727 (e))

**§ 373.4 Substitution of witnesses; procedure.** If the witnesses who verified the petition cannot be produced at the final hearing, and the petitioner desires to substitute other witnesses in their stead, notice thereof on Form N-450 shall be given by the petitioner to the naturalization officer having administrative supervision over the district in which the

## RULES AND REGULATIONS

petition is filed, at a reasonable time in advance of the date set for the final hearing upon the petition for naturalization. Where the competency and qualifications of the original witnesses have been previously determined by the Service to be satisfactory, and a representative of the Service attends the final hearing in person, notice of intention to substitute witnesses may be given to such representative at the hearing. In no case shall a final hearing be held upon a petition until after the substitute witnesses have been examined by the representative of the Service and an affidavit on Form N-451 executed in triplicate by the witnesses before such representative or the clerk of court. One copy of this affidavit shall be attached to the original petition, prior to or at the time of the hearing, and the others filed with the duplicate and triplicate petitions, respectively. If it should appear after a petition has been filed that any of the verifying witnesses thereto are not competent, and it is established that the petitioner acted in good faith in producing such incompetent witnesses, other witnesses may be substituted in accordance herewith. (Sec. 309 (d), 54 Stat. 1144; 8 U. S. C. 709 (d))

**§ 373.5 Certificate by examiner where petitioner is exempt from certain residential requirements; immediate hearing.** Petitioners for naturalization who conform to the requirements of section 317 (a) or (c), 318 (a), 324 (a) or (b), or 325, of the Nationality Act of 1940, may be naturalized without compliance with the usual requirements for residence in the United States and in the State, but shall personally file their petitions for naturalization in conformity with the other applicable provisions of the naturalization laws, and may have their petitions heard immediately, provided that there is attached to the original and duplicate petitions at the time of filing a certificate of examination of a naturalization examiner on Form N-440. (Sec. 317 (a), (c), 318 (a), 54 Stat. 1146, 1147, sec. 324 (a), (b), 54 Stat. 1149, 60 Stat. 417, sec. 325, 54 Stat. 1150; 8 U. S. C. and Sup., 717 (a), (c), 718 (a), 724 (a), (b), 725)

**§ 373.6 Naturalization rule days.** Final naturalization hearings shall be held only on stated days, fixed by rule of the court. Each district director, as far as possible, shall endeavor to have rule days for final hearings arranged so that naturalization sessions of the courts will follow each other in adjoining counties or circuits. (Sec. 332 (d), 54 Stat. 1156; 8 U. S. C. 732 (d))

**§ 373.7 Personal representation of Government at court hearings.** Whenever possible, final naturalization hearings shall be attended personally by naturalization examiners or other members of the Service authorized by the Commissioner. Representatives appearing in behalf of the United States may cross-examine the petitioner and the witnesses produced in support of the petition, and may call other witnesses and produce evidence concerning any matter affecting the petitioner's right to naturalization. In cases where it appears to be necessary, the naturalization

officer shall have made a stenographic report of the testimony given in any naturalization proceeding. (Sec. 334 (d), 54 Stat. 1157; 8 U. S. C. 734 (d))

**§ 373.8 Written report in lieu of personal representation at final hearings.** Whenever it is impossible for a representative of the Service to be present at the final hearing upon a petition for naturalization, notice thereof shall be seasonably transmitted by the Service to the court in writing. The petitions set down for hearing shall be listed by number and name, and on the list shall be indicated immediately under each number and name all unfavorable facts, and if any, the grounds for objection, with pertinent comment and citation of authorities in support of the objection. Where continuance of the petition may be desired, the basis therefor shall be set forth. In cases in which the Service offers no objection it shall be so stated. (Sec. 334 (d), 54 Stat. 1157; 8 U. S. C. 734 (d))

**§ 373.9 Objections; form and content; procedure when overruled.** Where material objection on behalf of the United States by the Service to the granting of a petition for naturalization is overruled by the court, the necessary action shall be taken to preserve the Government's right of review. Material objections shall be in writing, in the form of a motion for an order denying the petition for naturalization, and shall set forth with particularity all of the grounds therefor. Where a material objection is overruled, a comprehensive report containing all the pertinent facts shall be submitted to the Central Office not later than ten days after the date of the hearing. Such report shall contain the recommendation of the officer who attended the final hearing and of the appropriate district director, as to whether an appeal should be taken or cancellation proceedings instituted. (Sec. 334 (d), 54 Stat. 1157; 8 U. S. C. 734 (d))

**§ 373.10 Procedure where petitioner for naturalization appears to be a citizen of the United States.** Where doubt exists as to whether a petitioner for naturalization is already a citizen of the United States, the motion of the designated examiner or of the examiner at the final hearing should in no case be for denial of the petition on the ground that the petitioner is "already a citizen" unless the proof of that fact is clear and positive. Where doubt of citizenship exists, the case shall be treated by the Service as though the applicant were an alien. (Sec. 334 (d), 54 Stat. 1157; 8 U. S. C. 734 (d))

#### PART 375—OATH OF RENUNCIATION AND ALLEGIANCE

##### Sec.

- 375.1 Petitioners for naturalization required to take oath of renunciation and allegiance.
- 375.2 Oath of renunciation and allegiance by certain women before a naturalization court or a diplomatic or consular officer of the United States.
- 375.3 Oath of renunciation and allegiance waived in the cases of certain children.
- 375.4 Renunciation of title or order of nobility.

**AUTHORITY:** §§ 375.1 to 375.4, inclusive, issued under sec. 327, 54 Stat. 1150; sec. 37 (a), 54 Stat. 875; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 375.1 to 375.4, inclusive, interpret and apply sec. 335, 54 Stat. 1157; 8 U. S. C. 735.

**§ 375.1 Petitioners for naturalization required to take oath of renunciation and allegiance.** A petitioner for naturalization under the general provisions of the Nationality Act of 1940, or under section 308, 310, 311, 312, 315, 316, 317 (a) or (c), 318, 319 (a), 320, 321, 323, 324, 325, or 326, of that act, shall take in open court the oath of renunciation and allegiance prescribed by section 335 of that act, unless such oath is waived as set forth in § 375.3.

**§ 375.2 Oath of renunciation and allegiance by certain women before a naturalization court or a diplomatic or consular officer of the United States.** (a) A woman who applies to resume citizenship under section 317 (b) of the Nationality Act of 1940, may take the oath of renunciation and allegiance, prescribed by section 335 of that act, if abroad before a diplomatic or consular officer of the United States, or if in the United States before the judge or clerk of a naturalization court, and from and after taking such oath she shall be deemed a citizen of the United States.

(b) Such oath of renunciation and allegiance shall be entered in the records of the appropriate embassy or legation or consulate or naturalization court, and, upon demand, the woman taking the oath may obtain a certified copy of the proceedings, including a copy of the oath administered, under the seal of the embassy or legation or consulate or naturalization court, at a cost not exceeding \$1, which certified copy shall be evidence of the facts stated therein before any court of record or judicial tribunal and in any department of the United States.

(c) A woman born in the United States, who lost or was believed to have lost United States citizenship solely by reason of marriage prior to September 22, 1922, to an alien, and whose marriage to such alien terminated prior to January 13, 1941, or who resided in the United States continuously since the date of such marriage, and who is deemed to be a citizen of the United States under the provisions of the act of June 25, 1936, or the act of July 2, 1940, may, on or after January 13, 1941, take the oath of renunciation and allegiance prescribed by section 335 of the Nationality Act of 1940, if abroad before a diplomatic or consular officer of the United States, or if in the United States before a naturalization court, and shall be entitled to the benefits of paragraph (b) of this section. Such woman shall not have or claim any of the rights of a citizen of the United States until she shall have taken such oath.

**§ 375.3 Oath of renunciation and allegiance waived in the cases of certain children.** The naturalization court may waive the oath of renunciation and allegiance prescribed by section 335 of the Nationality Act of 1940, in the case of a child under 18 years of age in whose behalf a petition for naturalization is filed by a parent or guardian under section 315, 316, or 319 (a) of the Nationality Act of 1940, if in the opinion of

the court the child is too young to understand the meaning of such oath.

**§ 375.4 Renunciation of title or order of nobility.** A petitioner for naturalization who has borne any hereditary title or has been of any of the orders of nobility in any foreign state, shall, in addition to taking the oath of allegiance prescribed by § 375.1, make under oath in open court an express renunciation of such title or order of nobility.

#### PART 377—CERTIFICATE OF NATURALIZATION

Sec.

- 377.1 Certificate; when and by whom issued; disposition of duplicate.
- 377.2 Change of name; endorsement to be made by clerk on certificate.
- 377.3 Endorsement on stub of certificate of alien registration number.
- 377.4 Blank certificates furnished clerks of court; execution and issuance of certificates.

**AUTHORITY:** §§ 377.1 to 377.4, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 377.1 Certificate; when and by whom issued; disposition of duplicate.** Where a final order admitting the petitioner to citizenship has been duly signed by a judge, a certificate of naturalization shall be issued by the clerk of court to such petitioner, and the duplicate of such certificate shall be disposed of as provided in § 377.4. (Sec. 337 (c), 54 Stat. 1158; 8 U. S. C. 737 (c))

**§ 377.2 Change of name; endorsement to be made by clerk on certificate.** Where the name of the petitioner has been changed by order of court as a part of the naturalization, the clerk of court shall make, date, and sign the following endorsement on the reverse side of the original and duplicate of the certificate of naturalization: "Name changed by decree of court from \_\_\_\_\_, as a part of the naturalization", inserting in full the original name of the petitioner. A similar notation shall be made on the stub of the original certificate. The certificate of naturalization shall be issued and the stub thereof signed according to the name as changed. (Sec. 334 (e), 54 Stat. 1157; 8 U. S. C. 734 (e))

**§ 377.3 Endorsement on stub of certificate of alien registration number.** The clerk of court, before delivering a certificate of naturalization to the naturalized person, shall obtain from the latter his or her alien registration receipt card, issued under the Alien Registration Act, 1940, and forward it to the Commissioner of Immigration and Naturalization with the duplicate certificate, after endorsing the alien registration receipt number on the stub of the duplicate certificate. No certificate of naturalization shall be delivered to any naturalized person unless and until such person has surrendered his or her alien registration receipt card, unless specific authority for such delivery has been given by the appropriate district director.

**§ 377.4 Blank certificates furnished clerks of court; execution and issuance**

of certificates. Blank certificates of naturalization will be transmitted to clerks of courts either directly by the Central Office or through the local naturalization officers, as conditions require. The clerk of the court will issue a receipt for such certificates upon receipt cards provided by the Central Office. Original and duplicate certificates of naturalization when issued shall be fully executed, and signed by the clerk in his own handwriting, and he shall enter on the stub of each certificate so issued a memorandum of all the essential facts as set forth in such certificate. Both copies of the certificate in any case, including the stubs, shall, wherever possible, be legibly written at the same operation, with the use of carbon paper, on a typewriter. The stub shall be removed and retained by the clerk of court and may be filed in an upright card file, or in a 3- by 5-inch card drawer by trimming to that size. The duplicate certificates shall not be separated from their stubs but shall be forwarded at the proper time with all other duplicate papers. Every care must be exercised to prevent the loss or misplacement of any certificate of naturalization. (Secs. 336, 337 (c), 54 Stat. 1157, 1158; 8 U. S. C. 736, 737 (c))

#### PART 378—CERTIFICATE OF NATURALIZATION: VETERAN OF FIRST OR SECOND WORLD WAR ALLIED FORCES; PERSON WHO VOTED IN A FOREIGN POLITICAL ELECTION

Sec.

- 378.1 Application for; who may make; procedure; forms; fee.
- 378.2 Investigation; certificate; by whom issued; delivery; receipt; proof.
- 378.3 Application for certificate of repatriation; who may make; procedure; form; fee.
- 378.4 Investigation; certificate of repatriation; by whom issued; delivery; receipt; proof.

**AUTHORITY:** §§ 378.1 to 378.4, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. Statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 378.1 Application for; who may make; procedure; forms; fee—(a) Veteran of First or Second World War Allied forces.** A person who lost citizenship of the United States through service in one of the Allied armies during World War I or II, who was naturalized under the provisions of section 323 of the Nationality Act of 1940, as amended (54 Stat. 1149, 56 Stat. 198; 8 U. S. C. and Sup., 723), and who desires to obtain a certificate of naturalization evidencing such citizenship shall fill out properly and sign application Form N-580.

**(b) Person who voted in a foreign political election.** A person who lost citizenship of the United States through voting in a political election in a country not at war with the United States during World War II, who was naturalized under the provisions of section 323 of the Nationality Act of 1940, as amended (54 Stat. 1149, 56 Stat. 198, 60 Stat. 866; 8 U. S. C. and Sup., 723), and who desires to obtain a certificate of naturalization evidencing such citizenship shall fill out

properly and sign application Form N-583.

**(c) Submission; photographs; fee.** An application filled out in accordance with paragraph (a) or (b) of this section shall be submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter, accompanied by three photographs of the applicant, prepared in accordance with Part 364 of this chapter, and the statutory fee of \$1, remitted as prescribed in § 60.30 (b) of this chapter. (Secs. 341 (a), 342 (b) (6), 54 Stat. 1160, 1161, 58 Stat. 755; 8 U. S. C. and Sup., 741 (a), 742 (b) (6))

**§ 378.2 Investigation; certificate; by whom issued; delivery; receipt; proof.** An investigation as to the eligibility of the applicant for a certificate of naturalization shall be conducted by the appropriate district director and the application shall thereafter be transmitted to the Commissioner with a recommendation as to whether the application should be granted or denied. In the event a favorable recommendation is made, it shall be subject to verification by the Commissioner of the applicant's naturalization, except that where an applicant was naturalized in the same district in which the application is investigated, a verification of the naturalization shall be submitted to the Commissioner with the application. If it shall appear to the satisfaction of the Commissioner that the applicant has been naturalized, as claimed, under section 323 of the Nationality Act of 1940, as amended, the certificate of naturalization shall be issued and delivered to the applicant in person upon his signed receipt therefor, provided that he is then in the United States. Every applicant for a certificate of naturalization under this part shall be required to satisfy the Commissioner that he has not, since he acquired United States citizenship under section 323 of the Nationality Act of 1940, as amended, lost such citizenship. (Sec. 341 (a), 54 Stat. 1160; 8 U. S. C. 741 (a))

**§ 378.3 Application for certificate of repatriation; who may make; procedure; form; fee.** A person in the United States who, before January 13, 1941, resumed citizenship of the United States under the twelfth subdivision of section 4 of the act of June 29, 1906, as amended (40 Stat. 545, 46 Stat. 791; 8 U. S. C. 18), and who desires to obtain a certificate evidencing such citizenship shall fill out properly and sign application Form N-579 and submit it to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. Such application shall be accompanied by three photographs of the applicant, prepared in accordance with Part 364 of this chapter, and the statutory fee of \$1, remitted as prescribed in § 60.30 (b) of this chapter. (46 Stat. 791; 8 U. S. C. 18)

**§ 378.4 Investigation; certificate of repatriation; by whom issued; delivery; receipt; proof.** An investigation as to the eligibility of the applicant for a certificate of repatriation shall be conducted by the appropriate district director and the application shall thereafter be transmitted to the Commissioner with a recommendation as to whether the

## RULES AND REGULATIONS

application should be granted or denied. In the event a favorable recommendation is made, it shall be subject to verification by the Commissioner of the applicant's repatriation, except that where an applicant was repatriated in the same district in which the application is investigated, a verification of the repatriation shall be submitted to the Commissioner with the application. If it shall appear to the satisfaction of the Commissioner that the applicant resumed United States citizenship as claimed, the certificate of repatriation shall be issued and delivered to the applicant in person upon his signed receipt therefor, provided that he is then in the United States. Every applicant for a certificate of repatriation under this part shall be required to satisfy the Commissioner that he has not, since he acquired United States citizenship under the twelfth subdivision of section 4 of the act of June 29, 1906, as amended, lost such citizenship. (46 Stat. 791; 8 U. S. C. 18)

**PART 379—CERTIFICATES OF CITIZENSHIP WHERE CITIZENSHIP ACQUIRED (1) BY NATURALIZATION OF PARENT, PARENTS, OR HUSBAND, OR (2) BY BIRTH ABROAD TO CITIZEN PARENT OR PARENTS**

Sec.

- 379.1 Who may apply for certificate of citizenship.
- 379.2 Application for certificate; form; fee.
- 379.3 Attorneys.
- 379.4 Procedure upon receipt of application.
- 379.5 Proof.
- 379.6 Examination and evidence.
- 379.7 Record; recommendation; review.
- 379.8 Final disposition.

**AUTHORITY:** §§ 379.1 to 379.8, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 379.1 to 379.8, inclusive, interpret and apply sec. 339, 54 Stat. 1160, 58 Stat. 4; 8 U. S. C. and Sup., 739.

**§ 379.1 Who may apply for certificate of citizenship.** Any person who claims to have derived United States citizenship through the naturalization of a parent or parents or through the naturalization or citizenship of a husband or any person who claims to be a citizen of the United States by virtue of the United States citizenship of his parent or parents at the time of his birth outside the United States, may apply to the Commissioner for a certificate of citizenship.

**§ 379.2 Application for certificate; form; fee.** Where the applicant claims to have derived United States citizenship through the naturalization of a parent or parents or through the naturalization or citizenship of a husband, application for a certificate of citizenship shall be made by the applicant on Form N-600. Where the applicant claims to be a citizen of the United States on the ground that his parent or parents were citizens of the United States at the time of his birth outside the United States, application for a certificate of citizenship shall be made by the applicant on Form N-600-A. The application shall be submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The application shall be signed by the applicant, or in the case of

a child under the age of 18 years by his parent or guardian, when submitted, but shall not be subscribed and sworn to or affirmed until the applicant appears before an officer of the Immigration and Naturalization Service for examination upon the merits of his application. The application shall be accompanied by the statutory fee of \$5, remitted as prescribed in § 60.30 (b) of this chapter. The application shall also be accompanied by the originals of such documentary evidence, or pertinent excerpts therefrom if the documents are lengthy or bulky, as the applicant may have or be able to obtain relating to the date and place of his birth, the date and place of the marriage of his parents, the date and place of marriage of applicant if the applicant be a woman, or any other documents tending to establish the claimed citizenship. The applicant shall not be required to furnish a translation of any such documents written in a foreign language. If the applicant desires any such documents returned to him after final action has been taken in his case, his application should also be accompanied by photostatic, photographic, or typewritten copies of such documents except that no copy of any sort may be made of any original or copy of a declaration of intention or certificate of naturalization or citizenship or any part thereof. The applicant must submit three photographs in accordance with the requirements of Part 364 of this chapter.

**§ 379.3 Attorneys.** Attorneys and other persons qualified to practice before the Immigration and Naturalization Service, who represent applicants for certificates of citizenship under section 339 of the Nationality Act of 1940, as amended, shall be permitted, upon completion of the application and examination of the applicant and his witnesses, to review the record either before it is forwarded to the Central Office or thereafter, and prior to final decision. Such attorneys and other practitioners may submit briefs, and, upon sufficient notice, shall be given opportunity to present oral argument before the Central Office. When final decision is made in a case, the attorney or other person representing the applicant shall be entitled to notification of such action.

**§ 379.4 Procedure upon receipt of application.** If the application is not properly prepared, or does not present a *prima facie* case, it shall be returned for correction or completion, and shall not be accepted until properly prepared. When an application is submitted, but the nature of the documentary evidence therewith is not reasonably adequate to support the application, the field office may defer acceptance thereof. In the latter event, the application, money order, photographs, and documentary evidence, and any copies of evidence shall be returned to the applicant with a request for submission of more substantial evidence. If the application is thereafter submitted accompanied by satisfactory evidence, or is so submitted with the statement that further evidence cannot be obtained, the field office shall accept it for further consideration. The

applicant shall thereafter be informed when and where he and his witnesses will be examined upon the merits of his application.

**§ 379.5 Proof.** The applicant shall establish to the satisfaction of the Commissioner that he is a citizen of the United States, that he derived such citizenship through the naturalization of a parent or parents or through the naturalization or citizenship of a husband, or that he acquired such citizenship through birth outside the United States at a time when his parent or parents were citizens of the United States.

**§ 379.6 Examination and evidence.** The examining officer shall orally review the application with the applicant, or in the case of a child under the age of 18 years, with the parent or guardian, before administering the oath. Any necessary changes in the application shall be consecutively numbered and acknowledged in writing by the applicant or the parent or guardian. The applicant and the person or persons through whom applicant claims to have derived or acquired citizenship then shall be questioned under oath by the examiner for the purpose of identification and to clarify any points in controversy on the basis of the information submitted in the application. If the sworn application form, supporting documentary evidence, records of the Service, the testimony of the person or persons through whom citizenship is claimed, and the testimony of the applicant, or the parent or guardian if applicant be a child under the age of 18 years, establish applicant's claim to citizenship, no other witnesses shall be required. Otherwise, such number of credible witnesses, preferably citizens of the United States, as may be deemed necessary shall be questioned under oath by the examiner concerning the facts of applicant's alleged citizenship. If the person or persons through whom the applicant claims citizenship are deceased or otherwise not available, the testimony customarily required of such person or persons may be furnished by qualified witnesses. The testimony heard shall not be reduced to writing in verbatim form except in cases where neither primary nor secondary documentary evidence is available to establish such essential fact concerning applicant's citizenship and except in cases where it appears that criminal proceedings might be instituted as a result of perjured statements. Any facts deemed necessary to the examination relating to the birth, death, marriage, divorce, or identity of any person involved therein shall be established by official copies of public records or church records if such copies are available or can be obtained. If the examining officer is satisfied that the applicant has made a reasonable effort to procure such documentary evidence and that it is not available or cannot be procured without undue hardship to such applicant, the examining officer may receive and consider any other evidence which the applicant may present. The burden of proof to establish his citizenship shall at all times be upon the applicant. In presenting his proof, the appli-

cant shall be entitled to the benefit of any records concerning him which are in the custody of the Service and copies of, or information from, any such records may be made available to the officer of the Service passing upon the application, without payment of fee by the applicant. When no longer required, the original documents submitted by applicant shall be returned to the applicant if photostatic or other copies thereof have been supplied by him for the record. If the examiner is satisfied as to the authenticity of the documents and is satisfied that such photostatic or other copies are true and correct, he shall return the original documents to the applicant at the conclusion of the examination and incorporate the copies into the record which is submitted to the Central Office.

**§ 379.7 Record; recommendation; review.** Upon completion of the examination, the examining officer shall prepare a report of his findings on Form N-635 or Form N-635-A as to each of the essential facts to be established in the proceeding, together with his recommendation and any comment he deems necessary. Where any issue of law or fact is raised by the evidence, the examining officer shall summarize the evidence and prepare a report thereon to accompany the Form N-635 or Form N-635-A. If the original documents were returned to the applicant at the conclusion of the examination, the examiner shall place a notation on Form N-635 or Form N-635-A showing that the copies were compared with such original documents and were found satisfactory and that the original documents were returned to the applicant. If denial of the application is recommended, a statement shall be made of the supporting grounds, and reason therefor. When recommendation to grant the application is based principally on documentary evidence, that fact shall be stated; otherwise, a brief statement of the facts and circumstances in evidence considered sufficient to justify action recommended shall be made. The record, supporting documents, photographs, and the findings and recommendation of the examining officer shall then be forwarded to the district director. That officer or an officer designated by him for that purpose, shall thereupon review the record, both as to procedural requirements and the findings and recommendation, and shall himself, or through his designated substitute, make his recommendation on Form N-635 or Form N-635-A. If such review leads to a different recommendation from that of the examining officer, the reasons therefor shall be stated in writing. The entire record shall then be submitted to the Central Office.

**§ 379.8 Final disposition.** If the Commissioner is satisfied from the record that the applicant is entitled to receive a certificate of citizenship, the certificate shall be issued. If the applicant has assumed or is known by a name other than his true name but has not had his name changed in accordance with the law of the jurisdiction where he assumed the new name, and, therefore, is not legally entitled to use the assumed name, the certificate of citizenship shall be issued

in the applicant's true name followed by the words "also known as" followed by the assumed name, but in such a case the applicant shall be required to sign only his true name on the certificate and on the photographs submitted with his application. The certificate shall be in duplicate and shall be forwarded to the field office in which the application originated for signature by the applicant, unless applicant is a child unable to sign his name, in which case the certificate shall be signed by the parent or guardian, and the signature shall read "(insert name of parent or guardian) in behalf of (insert name of child)." The applicant shall, unless he is too young to understand the meaning thereof, take and subscribe to, before a member of the Service, the oath of renunciation and allegiance prescribed by section 335 of the Nationality Act of 1940. Thereafter personal delivery of the original of the certificate shall be made to the applicant, who shall sign a receipt therefor, unless applicant is a child unable to sign his own name, in which case it shall be delivered to his parent or guardian, who small sign a receipt therefor. The applicant shall be furnished with a certificate only if such individual is at the time within the United States.

#### PART 380—SPECIAL CERTIFICATE OF NATURALIZATION FOR RECOGNITION BY A FOREIGN STATE

##### Sec.

380.1 Application; who may make; form; fee.  
380.2 Investigation; certificate; disposition.

**AUTHORITY:** §§ 380.1 and 380.2 issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 382.1 to 382.6, inclusive, interpret and apply secs. 341 (b), (d), (e), 342 (b), (2), (3), (7), 54 Stat. 1161, 58 Stat. 755; 8 U. S. C. and Sup., 741 (b), (d), (e), 742 (b), (2), (3), (7).

**§ 380.1 Application; who may make; form; fee.** Any naturalized citizen may apply for a special certificate of naturalization for the purpose of obtaining recognition as a citizen of the United States by a foreign state. He shall fill out properly and sign an application on Form N-577 and shall submit it to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. Such application shall be accompanied by three photographs of the applicant, prepared in accordance with Part 364 of this chapter, and the statutory fee of \$5, remitted as prescribed in § 60.30 (b) of this chapter.

**§ 380.2 Investigation; certificate; disposition.** Investigation of an application on Form N-577 shall be conducted by a field officer to ascertain to the extent practicable whether:

- (a) A record of the alleged naturalization exists;
- (b) The applicant is the subject of such record;
- (c) The applicant, if naturalized, has not become expatriated;
- (d) The applicant needs the certificate to obtain recognition as a citizen of the United States by a foreign state; and
- (e) The certificate, if issued, will be used only for such purpose.

The application shall be forwarded to the Commissioner with a report of the

investigation and the recommendation of the investigating officer and the district director. If the naturalization is alleged to have occurred in another district, verification from the records there may be omitted from the investigation and the recommendation made subject to verification of the naturalization from records in the Central Office. If the Commissioner is satisfied that the applicant has the qualifications listed in this section, a special certificate of naturalization shall be issued on Form N-578. The certificate shall be furnished by the Commissioner only to the Secretary of State for transmission to the proper authority in the foreign state by which the applicant seeks to obtain recognition as a citizen of the United States.

#### PART 382—NATURALIZATION PAPERS REPLACED; NEW CERTIFICATE IN CHANGED NAME

##### Sec.

382.1 Replacement of a lost, mutilated, or destroyed naturalization paper.  
382.2 Changed name; new certificate of naturalization or of citizenship issued.  
382.3 Application for new papers; forms; procedure; fees.  
382.4 Application for new papers; action by field office; proofs.  
382.5 New papers; by whom issued; forms; numbering.  
382.6 Replacement of evidence of naturalization under section 317 (b) of the Nationality Act of 1940.

**AUTHORITY:** §§ 382.1 to 382.6, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 382.1 to 382.6, inclusive, interpret and apply secs. 341 (b), (d), (e), 342 (b), (2), (3), (7), 54 Stat. 1161, 58 Stat. 755; 8 U. S. C. and Sup., 741 (b), (d), (e), 742 (b), (2), (3), (7).

**§ 382.1 Replacement of a lost, mutilated, or destroyed naturalization paper.** An alien whose declaration of intention, or a naturalized citizen (regardless of the date of the naturalization) whose certificate of naturalization or of citizenship, has been lost, mutilated, or destroyed, may apply for a new declaration or certificate in lieu thereof. Such application shall be made on Form N-565 and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter.

**§ 382.2 Changed name; new certificate of naturalization or of citizenship issued.** A naturalized citizen whose name has been changed after naturalization, by order of court or by marriage, may apply for a new certificate of naturalization or of citizenship in the changed name. Such application shall be made on Form N-575 and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter.

**§ 382.3 Application for new papers; forms; procedure; fees.** The applicant shall fill out properly, sign, make oath to, and submit the required application to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The application shall be accompanied by three photographs of the applicant in accordance with Part 364 of this chapter. An application on Form N-565 shall be accompanied by the stat-

## RULES AND REGULATIONS

utory fee of \$1, except that such fee shall not be required of an applicant who is exempted from the payment of such fee by section 342 (b) of the Nationality Act of 1940, as amended (54 Stat. 1161, 58 Stat. 5, 745, 755, 59 Stat. 585; 8 U. S. C. and Sup., 742 (b)). An application on Form N-575 shall be accompanied by the statutory fee of \$5. Any required fee shall be remitted as prescribed in § 60.30 (b) of this chapter.

**§ 382.4 Application for new papers; action by field office; proofs.** An application submitted under this part shall be examined in the field office for defects in execution and where necessary shall be returned with the money order and all supporting papers to the applicant for correction. When a properly executed application is submitted, the field office shall before forwarding the application to the Central Office make appropriate verifications of records and question the applicant relative to the statements in his application. However, the applicant need not be questioned, nor other investigation conducted, relative to the circumstances of the alleged loss, mutilation, or destruction of a paper unless there is some specific reason to believe that the old paper has been or will be, or that the new paper would be, used unlawfully or improperly. If the application is for a declaration of intention in lieu of one about to expire by reason of the seven-year limitation, the application may be sent to the Central Office at once and the applicant questioned at some later time but before the new declaration is delivered. All mutilated naturalization papers shall be surrendered to the Service. In the case of an application for a new certificate in a changed name, the application shall be accompanied by appropriate documentary evidence of such change. Every applicant for a certificate under this part shall satisfy the Service that he has not become expatriated subsequent to the date he claims to have acquired United States citizenship.

**§ 382.5 New papers; by whom issued; forms; numbering.** If the application is approved, the new naturalization or citizenship paper shall be issued by the Commissioner or a Deputy Commissioner and not by the clerk of court. Any new declaration of intention shall be upon Form N-321, N-322, or N-323, and any new certificate of naturalization or of citizenship upon Form N-570. The new paper shall be numbered to correspond with the number of the paper which it replaces. Certificates issued to evidence naturalizations which occurred prior to September 27, 1906, shall be consecutively numbered, the number in each instance being preceded by the letters "OL."

**§ 382.6 Replacement of evidence of naturalization under section 317 (b) of the Nationality Act of 1940.** A naturalized citizen woman, within § 330.3 of this chapter, whose certified copy of the proceedings prescribed by that section has been lost, mutilated, or destroyed, may apply for a new certified copy in lieu thereof. Such application shall be made on Form N-565 and submitted to the immigration and naturalization office pre-

scribed in § 60.30 (a) of this chapter. The applicant shall execute and forward the Form N-565 with the required fee of \$1, in accordance with § 382.3, except that no photographs will be required. The application shall be handled in accordance with the provisions of § 382.4. If the application is approved, there shall be issued a certified, positive photostat of the record of the proceeding filed in the Central Office, whether such record be a duplicate of Form N-408 or a copy of the proceedings which took place at an embassy, legation, or consulate. If the applicant's name has been changed after naturalization, by order of court or by marriage, and appropriate documentary evidence of such change is submitted with the application, the certification of the positive photostat shall show both the name in which the proceedings were had and the changed name. Such an applicant shall use Form N-565 and the required fee shall be \$1. The procedure described in this section may be followed even though the naturalization proceedings took place at an embassy, legation, or consulate. In such cases, it will not be necessary that verification of the alleged naturalization proceedings be made by the field office.

**PART 383—FEES AND PROCEDURE TO OBTAIN CERTIFICATIONS OF OR INFORMATION FROM RECORDS**

**Sec.**

- 383.1 Application for certification of records; form.
- 383.2 Application for certification of records; contents.
- 383.3 Certification of declaration of intention; photographs required.
- 383.4 Copies of Service records and information; fees.
- 383.5 Clerk of court; when authorized to certify naturalization records.
- 383.6 Replacement of evidence of oath of renunciation and allegiance under act of June 25, 1936, as amended by act of July 2, 1940.
- 383.7 Records; authority of officers to release information and to certify records.

**AUTHORITY:** §§ 383.1 to 383.7, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 383.1 to 383.7, inclusive, interpret and apply secs. 341 (e), 342 (b), (8), 54 Stat. 1161, 58 Stat. 745, 755, 59 Stat. 585; 8 U. S. C. and Sup., 741 (e), 742 (b), (8). Other statutes interpreted or applied and statutes giving special authority are cited in parentheses at the end of affected sections.

**§ 383.1 Application for certification of records; form.** Application shall be made on Form N-585 to the Commissioner for certification of a naturalization record of any court, or of any part thereof, or of any certificate of naturalization or of citizenship, for use in complying with any statute, Federal or State, or in any judicial proceeding. The applicant shall fill out properly, sign, make oath to, and forward the application to the Commissioner of Immigration and Naturalization, Washington, D. C.

**§ 383.2 Application for certification of records; contents.** If the certification referred to in § 383.1 is desired for use in complying with a statute, the date and citation of the statute con-

cerned shall be stated in the application. If it be desired for use in a judicial proceeding, the application shall set forth the title and character of the proceeding and the court in which it is pending, and shall be accompanied by an order of such court requesting the Commissioner to supply the certification. The application shall state the title and address of the officer to whom, or the court to which, the certification should be sent.

**§ 383.3 Certification of declaration of intention; photographs required.** If the application on Form N-585 is for certification of a declaration of intention in lieu of one filed with a petition for naturalization, the application shall be accompanied by three photographs of the applicant as prescribed in Part 364 of this chapter.

**§ 383.4 Copies of Service records and information; fees.** (a) Except where otherwise provided by law or by regulations under his chapter, there shall be paid to the Commissioner of Immigration and Naturalization for furnishing any person or agency, other than an official or agency of the Federal Government, with copies, certified or uncertified, of any part of, or information from, the records of the Service, a fee of 25 cents per folio, with a minimum fee of 50 cents for any one such service, in addition to a fee of \$1 for any official certification furnished under seal. Each sheet or page of the letter or other document furnished an applicant by the Commissioner shall be regarded as one folio in computing the required fee. Application for the desired service shall be made in prescribed form and shall be accompanied by the minimum fee of 50 cents or \$1.50, if a certification is desired, for each such service. The application and fee shall be submitted as prescribed in § 60.30 of this chapter. The Commissioner, in his discretion, may waive the filing of a formal application, or advance payment of the fee, or both. The applicant will be advised if any fee in addition to the minimum is required under the provisions of paragraph (b) of this section for the requested service.

(b) The following instructions and illustrative schedule will be adhered to in computing fees for the furnishing of copies of documents or written information from the records of the Service under subdivision (b) (9) of section 342 of the Nationality Act of 1940:

(1) A minimum fee of 50 cents at the rate of 25 cents per sheet or page, shall be charged for the furnishing of each and every uncertified copy of document or for the furnishing of any one uncertified written advice or statement, for example:

<i>Service requested in one application</i>	<i>Fee to be charged</i>
Applicant requests one primary copy of one document (consisting of one sheet or page).....	\$0.50
Applicant requests one primary copy of one document (consisting of two sheets or pages).....	.50
Applicant requests one primary copy of one document (consisting of three sheets or pages).....	.75

Service requested in one application	Fee to be charged
Applicant requests two primary copies of one document (consisting of one sheet or page)	\$1.00
Applicant requests two primary copies of one document (consisting of two sheets or pages)	1.00
Applicant requests two primary copies of one document (consisting of three sheets or pages)	1.50
Applicant requests information from the records (necessitating the furnishing of one 1-page letter or statement)	.50
Applicant requests information from the records (necessitating the furnishing of one 2-page letter or statement)	.50
Applicant requests information from the records (necessitating the furnishing of one 3-page letter or statement)	.75
Applicant requests that he and one other be furnished information from the records (necessitating the furnishing of two 1-page letters or statements)	1.00
Applicant requests that he and two others be furnished information from the records (necessitating the furnishing of three 1-page letters or statements)	1.50
Applicant requests that he and one other be furnished information from the records (necessitating the furnishing of two 2-page letters or statements)	1.00
Applicant requests that he and two others be furnished information from the records (necessitating the furnishing of three 3-page letters or statements)	2.25
(2) Where the objective information requested in one application necessitates its extraction from several files relating to but one person, group or thing, the furnishing of the desired information in such circumstances, to but one party, shall be regarded as but one service, and the information may be furnished in one letter or statement at the rate per sheet or page, as prescribed in the foregoing schedule; however, where the information requested in cases of this character is to be furnished to two or more persons, then the furnishing of each letter or statement shall be regarded as a separate and distinct service and an additional fee, or fees, shall be charged for each such additional service, thus:	
Fee to be charged	
Applicant requests that he be furnished information from, for example, his naturalization, visa, and registry files (necessitating the furnishing of one 1-page letter or statement)	\$0.50
Applicant requests that he and one other be furnished information from, for example, his naturalization, visa, and registry files (necessitating the furnishing of two 1-page letters or statements)	1.00
(3) Where the objective information requested in one application necessitates its extraction from one or more files relating respectively to two or more persons, groups, or things, the furnishing of the desired information from the file or files relating respectively to each person, group, or thing shall, in each instance, be regarded as a separate and distinct service, and separate letters or statements, each embodying collectively	

the information requested as to each person, group, or thing, shall be prepared, thus:

Fee to be charged
-------------------

Applicant requests that he be furnished information from, for example, the naturalization, visa, and registry files relating respectively to himself and his wife (necessitating the furnishing of two 1-page letters or statements)	\$1.00
Applicant requests that he and one other be furnished information from, for example, the naturalization, visa, and registry files relating respectively to himself and his wife (necessitating the furnishing of four 1-page letters or statements)	2.00

(4) Where additional uncertified copies of documents or written advices or statements are applied for in order to meet the requirements of applicants, the fees for such additional copies of advices or statements shall be prorated as hereinabove exemplified.

(5) In each and every instance where it is desired that a copy of document or written information from the records be officially certified under seal, a fee of \$1.00 shall be charged for each such certification, in addition to the fees illustrated by the foregoing schedule.

(6) Where a photostatic copy of a document is furnished, the fee therefor shall be computed strictly on the basis of the number of sheets of photostatic material necessarily prepared in order to furnish a complete likeness of the document, thus:

Fee to be charged
-------------------

Applicant requests one photostatic copy of one 1-page document (the original document containing written matter on one side only)	\$0.50
---	--------

Applicant requests one photostatic copy of one 1-page document (the original document containing written matter on both sides)	.50
--	-----

Applicant requests one photostatic copy of one 2-page document (the first page of the original document containing written matter on both sides, and the second page written matter on one side only)	.75
---	-----

§ 383.5 *Clerk of court; when authorized to certify naturalization records.* No clerk of court shall make any certification of any naturalization record, except upon appropriate order of the court.

§ 383.6 *Replacement of evidence of oath of renunciation and allegiance under act of June 25, 1936, as amended by act of July 2, 1940.* A citizen woman, within § 330.2 of this chapter, whose certified copy of the proceedings prescribed by that section has been lost, mutilated, or destroyed may apply for a new certified copy in lieu thereof. Such application shall be made on Form N-585 and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The application shall be accompanied by the statutory fee of \$1.50, in accordance with § 383.4. No photographs will be required. The application shall be handled in compliance with the applicable provisions of § 383.4 of this chapter. If the application is approved, there shall be issued a certified, positive photostat of the record of the proceedings filed in the

Central Office, whether such record be the duplicate of Form N-415 (or Form 2234) or a copy of the proceedings conducted at an embassy, legation, or consulate. If the applicant's name has been changed after the taking of the oath by order of court or by marriage and if appropriate documentary evidence of such change is submitted with the application, the certification shall show both the name in which the proceedings were had and the changed name. The procedure described in this section may be followed even though the proceedings took place at an embassy, legation, or consulate. In such cases it will not be necessary that verification of the alleged record of restoration of citizenship rights be made by the field office.

§ 383.7 *Records; authority of officers to release information and to certify records.* The Commissioner, the General Counsel, the district directors, or such other officers of the Service as may be designated by the Commissioner may decide applications for copies of immigration and naturalization records, or for information therefrom, and may certify that any official file, document, or record in the custody or control of the Service is a true file, document, or record or that a copy of such a file, document, or record is a true copy. (R. S. 161, 360, sec. 6 (a), 48 Stat. 1109, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 1, 54 Stat. 1238; 5 U. S. C. 22, 311, 28 U. S. C. 661, 8 U. S. C. 102, 222, 5 U. S. C. 133t)

#### PART 385—REVOCATION OF RECORDS CREATED AND OF NATURALIZATION AND CITIZENSHIP DOCUMENTS ISSUED BY THE COMMISSIONER

Sec.

- 385.1 Report and notice.
- 385.2 Answer.
- 385.3 Findings and recommendations.
- 385.4 Criminal prosecution.

AUTHORITY: §§ 385.1 to 385.4, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR, 90.1. §§ 385.1 to 385.4, inclusive, interpret and apply secs. 340, 346, 54 Stat. 1160, 1163; 8 U. S. C. 740, 746.

§ 385.1 *Report and notice.* If, at any time after a certificate of lawful entry has been issued under Part 362 of this chapter, or a certificate of naturalization has been issued under Part 378 of this chapter, or a certificate of citizenship has been issued under Part 379 of this chapter, or a special certificate of naturalization has been issued under Part 380 of this chapter, or a new certificate in changed name or a new declaration of intention or a new certificate of naturalization or of citizenship has been issued under Part 382 of this chapter, or a new certified copy of the proceedings has been issued under § 382.6 or § 383.6 of this chapter, evidence becomes available to a district director of Immigration and Naturalization indicating that such record or document was obtained illegally or fraudulently, a complete report shall be promptly submitted to the Central Office by the district director, with comment and recommendation. If the Commissioner or a Deputy Commissioner is satisfied that a *prima facie* showing has been made that such record or document

## RULES AND REGULATIONS

was obtained illegally or fraudulently, he shall cause such district director to have served personally or by registered mail written notice on the person to whom the document was issued by the Commissioner or a Deputy Commissioner, at such person's last known address in the records of the Service, that a proceeding has been instituted to cancel the record or document, which notice shall contain a statement of the grounds upon which the proposed cancellation proceeding is based, and of the nature of the supporting evidence. Such notice shall state that not more than 60 days from the date of service of the notice the person to whom the record relates or to whom the document was issued must show cause, before a designated officer of the Service and at a place designated for such hearing, why such cancellation should not take place. The district director in whose district the proceedings shall take place shall have authority to extend the 60-day period specified in the notice, but for not more than 30 additional days.

§ 385.2 *Answer.* The person against whom such proceeding has been brought may, within the time designated in § 385.1, submit his defense in writing under oath or affirmation. Upon receipt of such response, or answer, or upon expiration of the time allowed for showing good cause, the record shall be closed and forwarded to the Commissioner, accompanied by findings of fact, conclusions of law, and the recommendation of the officer assigned to hear or consider the case, together with the comment and recommendation of the district director.

§ 385.3 *Findings and recommendations.* The findings of fact, conclusions of law, and recommendation of the officer assigned to hear or consider the case, and the comment and recommendation of the district director shall, in case the person to whom the document was issued makes response or answer to the notice requiring him to show cause, be served upon him or his counsel, if any, in person or by registered mail, and the person to whom the record relates or the document was issued shall be given further notice in person or by registered mail that he has 10 days from the date of receipt thereof within which to file a brief or to inform the Commissioner that he intends to present oral argument on the record. In the latter event he shall be informed of the time, place, and date when he may appear in person or through counsel to make such argument. If such notice is not received, or no brief is submitted within the time specified, the case shall proceed to final consideration. If the Commissioner finds that the record or document or both were procured illegally or through fraud, he shall cancel *ab initio* such record or document or both. Notice of such action shall be given in person or by registered mail to the person proceeded against or his counsel, if any, at the last address of such person shown on the record of the cancellation proceeding, if a response or answer was made. Upon the cancellation of any such record or document, the person proceeded against or his counsel, if any, shall be requested in writing by registered mail

to surrender any such document which may have been issued to the person proceeded against, for transmission to the Central Office. The cancellation of any such document issued by the Commissioner shall not affect the citizenship status of the individual to whom it was issued.

§ 385.4 *Criminal prosecution.* In case of the cancellation of any such record or document on the ground of illegal or fraudulent procurement, the material facts in regard thereto may be presented by the district director to the office of the appropriate United States attorney for appropriate action under section 346 of the Nationality Act of 1940, if so directed by the Commissioner or a Deputy Commissioner.

[F. R. Doc. 47-7231; Filed, July 30, 1947; 9:44 a. m.]

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Bureau of Animal Industry, Department of Agriculture

[B. A. I. Order 373, Amdt. 7]

#### PART 94—RINDERPEST AND FOOT-AND-MOUTH DISEASE; PROHIBITED AND RESTRICTED IMPORTATION

##### ANIMALS, MEATS, PRODUCTS, ETC., REFUSED ENTRY

Section 94.4 of Part 94, Chapter I, Title 9, Code of Federal Regulations [B. A. I. Order 3731, is hereby amended to read as follows:

§ 94.4 *Animals, meats, products, etc., that are refused entry.* Any animals, meats, organs, glands, extracts, or secretions specified in §§ 94.1, 94.2 and 94.3, offered for entry and refused admission into the United States, shall be exported by the consignee thereof within 10 days or shall be destroyed in accordance with the directions of the Chief of the Bureau of Animal Industry. Any such animals, meats, organs, glands, extracts, or secretions coming into the United States other than by ocean vessel shall be destroyed immediately or otherwise disposed of in accordance with the directions of the Chief of the Bureau of Animal Industry.

Rinderpest and foot-and-mouth disease are such extremely contagious diseases of animals that every reasonable effort must be made to keep them out of this country. The regulation here amended was designed to accomplish that purpose by requiring the exportation within ten days, or the destruction, of animals, meats, and products which were offered for entry in the regular course of commerce and refused admission. When the regulation was adopted, neither disease existed in North America. During the latter part of 1946, however, foot-and-mouth disease gained a foothold on this continent. Consequently, it has become even more important to provide for summary destruction or other immediate disposition of animals, meats, and products coming into this country in an irregular manner, as by straying across land borders or by smuggling, etc., in order to prevent the introduction of

that disease into this country. That is the primary purpose of the present amendment.

Protection of the livestock interests of the United States requires that this amendment be made effective at the earliest practical moment. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), it is found, upon good cause, that notice and public procedure on this amendment are impracticable and contrary to the public interest, and good cause is found for the issuance of this amendment effective less than thirty days after publication. Neither notice nor hearing is required by any other statute.

This notice shall become effective upon publication in the *FEDERAL REGISTER*.

(Sec. 8, 26 Stat. 416, sec. 2, 32 Stat. 792, sec. 306, 46 Stat. 689; 21 U. S. C. 103, 111, 19 U. S. C. 1306)

Done at Washington, D. C., this 25th day of July 1947.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,  
Acting Secretary of Agriculture.

[F. R. Doc. 47-7172; Filed, July 30, 1947; 8:56 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 4692]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

E. H. ROBERTS PORTRAIT CO. ET AL.

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Sample, offer, or order conformance:* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Usual as reduced or to be increased:* § 3.72 (m 10) *Offering deceptive inducements to purchase or deal—Sample, offer, or order conformance:* § 3.72 (n) *Offering deceptive inducements to purchase or deal—Special offers, savings and discounts.* In connection with the offering for sale, and sale and distribution in commerce, of tinted or colored enlargements or miniatures of photographs and snapshots and of frames therefor, and among other things, as in order set forth, (1) representing in any manner, directly or by implication, that colored or tinted photographs, photographic enlargements or reductions are paintings; (2) using the terms "paintings", "oil paintings", "portrait paintings", or "paintings finished by hand", or the word "painting" either alone or in conjunction with any other word, words or terms to designate or describe colored or tinted photographs, photographic enlargements or reductions, or other pictures produced from a photograph base or impression; (3) representing through the use of a "draw" or "draw contest" or so called "lucky coupons" or "lucky certificates", or any similar device, plan, or scheme that any customer thereby will obtain a financial

advantage or receive a substantial discount or reduction in the price of any picture or pictures; (4) representing in connection with pictures being offered or sold in the regular course of business at the usual and customary prices therefor, that such pictures are being offered for sale or sold at a reduced price as an advertising offer or introductory offer, or representing in any manner that the purchaser is receiving an advantage in price not available to all purchasers; or, (5) representing that a picture to be made and delivered will be equal in quality and appearance to any sample displayed to the customer unless the picture thereafter delivered is of the same quality, design, and workmanship as said sample; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, E. H. Roberts Portrait Company et al., Docket 4692, June 2, 1947]

**§ 3.7 Aiding, assisting and abetting unfair or unlawful act or practice:** § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Financial condition:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Identity:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Individual or private business as professional person or association:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Location:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Professional person or association as vendor:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business as professional person or association:* § 3.96 (b) *Using misleading name—Vendor—Nature, in general:* § 3.96 (b) *Using misleading name—Vendor—Qualifications.* In connection with the offering for sale and sale and distribution in commerce, of tinted or colored enlargements or miniatures of photographs and snapshots and frames therefor, and among other things, as in order set forth, (1) using trade names consisting of or including such terms as "art studios", "art institute", or "art association" or any other fictitious name of similar import and effect unless the respondent using such name or names actually owns, operates, conducts, or controls an organization or establishment of the character indicated and comprehended by the trade name so used; or, (2) misrepresenting, or authorizing, permitting, or cooperating in the misrepresentation of, the financial responsibility, prestige, or standing of respondents, or any of them, or of the character or extent of their business by falsely claiming to be connected with an operating, established house or by deceptively using the business address of such established house as and for a business allegedly operated by respondents, or any of them, and from misrepresent-

ing through the use of fictitious trade names and misleading state and post office addresses the place, character, and extent of the business actually conducted; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, E. H. Roberts Portrait Company et al., Docket 4692, June 2, 1947]

**§ 3.24 (b) Coercing and intimidating—Customers or prospective customers—To purchase or support product or service—By withholding customer's property or rights:** § 3.51 *Enforcing dealings or payments wrongfully:* § 3.71 (b 7) *Neglecting, unfairly or deceptively, to make material disclosure—Nonstandard character of product.* In connection with the offering for sale and sale and distribution in commerce, of tinted or colored enlargements or miniatures of photographs and snapshots and of frames therefor, and among other things, as in order set forth, (1) concealing from, or failing to disclose to, customers at the time pictures are ordered that the finished picture when delivered will be so shaped and designed that it can be used only in a specially designed odd-style frame that cannot ordinarily be obtained in stores accessible to the consuming public, and that it will be difficult or impossible to obtain a frame to fit the picture from any source other than respondents; (2) failing or refusing to deliver the finished picture or pictures and the original when the customer refuses to purchase a frame therefor when such customer was not advised that the purchase of a frame was a condition precedent to the contract; or, (3) failing or refusing, in cases where pictures have been ordered, completed, and paid for, to deliver to the customer the completed picture, or to return the photograph or snapshot previously loaned by the customer for use in producing the picture; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, E. H. Roberts Portrait Company et al., Docket 4692, June 2, 1947]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2d day of June A. D. 1947.

In the matter of E. H. Roberts Portrait Company, a corporation; Edward H. Roberts, Harold S. Roberts, and Howard V. Roberts, individually and as president, vice president, and secretary and treasurer, respectively, of E. H. Roberts Portrait Company, a corporation; P. W. Berry, individually and trading as National Art Association; E. P. Bingham, individually and trading as Metropolitan Studios and also trading as Metropolitan Portrait Studios; J. E. Bowers, individually and trading as Interstate Studios; W. C. Bush, individually and trading as Esquire Studios; Chris Christensen, individually and trading as Van Dyke Studios; W. O. Coen, individually and trading as United Art Studio; George N. Conrad, individually and trading as Central Studios; Wayne Davidson, individually and trading as Apex Studios; DeForest Edwards, individually and trading as Superior Art Association; Alphonse D. Firebaugh, individually and trading as World Distributing Company; Virgil S.

Firebaugh, individually and trading as Universal Art Studios; George Gulberg, individually and trading as United Artists Association; Robert Hames, individually and trading as United Artist Studio; Floyd Hammer, individually and trading as Mid-Continent Distributing Company; George R. Harris, individually and trading as Windsor Studios; Glen Harrison, individually and trading as Union Distributing Company; Frank J. Holihan, individually and trading as Vanderbilt Arts Association; Chas. A. Huff, individually and trading as Southern Portrait Studios; Mrs. Jack M. Jelly, individually and trading as Western Academy of Art; Jack H. Kane, individually and trading as Memorial Studios, and also trading as Metropolitan Studios, and also trading as Metropolitan Portrait Studios; Loyce E. Kennedy, individually and trading as Western States Portrait Company, and also trading as Western Portrait Company; Harry E. Kent, individually and trading as Beaux Art Studios, and also trading as Eldred Distributing and Sales Company; W. Kiker, individually and trading as United Art Studios, and also trading as Western States Portrait Company; Theodore Leff, individually and trading as American Portrait Company, and also trading as United Artists Association; Edward F. Lingo, individually and trading as Linwill Portrait Company, and formerly trading as United Artists Association; M. J. McConahay, individually and trading as National Art Co.; R. H. Mercer, individually and trading as Sunset Art Studios; A. W. Merriner, individually and trading as American Portrait Association; Erbie J. Moak, individually and trading as Acme Art Association; F. C. Mowery, individually and trading as Paramount Service Company—Texas; F. N. Nelson, individually and trading as Eastern Portrait Company; J. P. Nelson, individually and trading as Tiffany Service Company; R. Oates, individually and trading as Continental Art Studios; C. J. O'Keeffe, individually and trading as Venetian Art Distributors; Paul E. O'Neill, individually and trading as Square Deal Portrait Company; J. O. Philpot, individually and trading as Acme Art Company; Ray T. Rice, individually and trading as Empire Art Service; R. T. Sherrod, individually and trading as Home Exhibit Club; C. A. Shields, individually and trading as Miniature Arts Company; C. Q. Simmans, individually and trading as Royal Art Studios, and also trading as Royal Studios; James Spearman, individually and trading as Universal Distributing Company; Howard Stebbins, individually and trading as Stebbins Advertising Company, and also trading as York Advertising Company; Harold K. Stice, individually and trading as Stice Advertising Company; O. L. Talbott and R. R. Green, individually and trading as National Portrait Company; Ed Thedell, individually and trading as The Art Studios; Arthur W. Thomson, individually and trading as National Academy of Art; Orville J. Weeks, individually and trading as Central Advertising Company; Oscar White, individually and trading as Twentieth Century Art Association; George Wiesner, individually

## RULES AND REGULATIONS

and trading as Peerless Portrait Company; L. L. Wittenberg, individually and trading as United Art Association; and Ned Adamson, Houston Agee, L. C. Allgeier, W. L. Andersen, Herbert Atkins, James L. Bardin, Bud Bates, E. A. Benedict, A. W. Betts, Jack Bingham, Louella Brooks, H. R. Burch, C. E. Cantrell, Harry Caton, Ritta Cauffiel, Susie Clark, Max Cohn, Edith Colburn, N. J. Conahy, R. Cooke, Betty Coratolo, Ensil Cross, Jack Dalton, M. Davis, A. K. DeVare, T. W. DeVore, Emil J. Dittmer, Patrick J. Durkin, Williard Dzink, Lee Eastman, F. M. Eaton, C. Eberhart, Dr. Echert, John Enyeart, Gladys Evans, Pat Evans, Yeada Evans, O. S. Ford, J. Fraser, Homer Frease, Merlin Froland, H. C. Gilmore, J. L. Gilmore, O. M. Gilmore, Roy Z. Goodwin, Carl Grace, Clarence Gray, Art Greene, Jacob M. Gross, G. R. Haing, W. A. Haire, Cora Hall, Melvin E. Hamilton, J. G. Hane, M. E. Hansen, James Hardy, A. R. Harris, J. E. Hartley, A. K. Hayden, George R. Hayne, J. G. Hayne, K. E. Heard, M. E. Hedge, W. J. Heimer, C. E. Hewell, Hobart Hodler, W. Holcomb, V. I. Holcomb, L. H. Holt, L. J. Holt, C. A. Hough, L. Howard, W. O. Huff, R. B. Jarke, Jack M. Jelly, Edwin Jones, R. F. Jones, Ethel Judd, May Justice, Lucille Kamp, A. Kane, Herb Kellar, H. L. Kennedy, L. N. Kennedy, Ray Kent, Roy Kent, Helen J. Kuhns, Milan Kukor, Don Kyees, Lloyd Kyees, C. J. LeCompte, Elden P. LeCompte, Floyd Lingo, D. A. Lions, Lola Lions, Richard R. Lions, Ted A. Lions, Wayne W. Lions, W. B. Lovings, Ira Lowe, Mary Lowe, Esther Lowery, J. N. McFarland, J. Mantell, G. J. Manuel, L. F. Marsden, L. F. Marselen, Red Melvin, J. L. Moak, Paul Mogelvang, James R. Monroe, Bill Moore, K. C. Murphy, G. W. Myers, K. F. Myers, Mrs. Leslie Nelson, Teddy Orcutt, Tom Parker, B. E. Patton, A. J. Paulson, Ann K. Pearce, Ruth Pearce, Cecil Phillips, L. F. Poe, Mrs. L. F. Poe, Fred Pursselley, Ida Rekkedal, Dell Reno, Allen Rensel, Dan Reppert, G. A. Rucker, Margaret Ruth, Melvin E. Sarsan, Vern Schultz, A. N. Sinnon, Don D. Smith, R. C. Speece, Gordon Stensrud, Milton Stensrud, Earl Stice, Howard Terry, Marjorie Hearn Terry, E. O. Tidlund, J. P. Townsend, C. E. Turner, William Vessey, Cecil Vance, Dona Vroman, Harry Vroman, Chase Wank, J. W. Ward, J. Warren, W. Wayne, Paul H. Webb, C. L. Williams, D. E. Williamson, Thomas Wills, W. F. Wisdom, Ruby Witt, Francis Woodbain, Francis D. Woodham, Mrs. Francis D. Woodham, Charles Worth, B. U. Youmans, and Rose Ann Young.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, a stipulation as to the facts entered into between certain respondents herein and Daniel J. Murphy, Assistant Chief Trial Counsel for the Commission, providing, among other things, that without further evidence or intervening procedure, the Commission might issue and serve upon said respondents its findings as to the facts and its conclusion based thereon and an order disposing of the proceeding, and the answers of certain other of respondents admitting various allegations of fact set forth in the complaint and

waiving further hearings as to said facts and all intervening procedure, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered.* That the respondents E. H. Roberts Portrait Company, a corporation; Edward H. Roberts, individually and as president of E. H. Roberts Portrait Company; Harold S. Roberts, individually and as vice president of E. H. Roberts Portrait Company; Wayne Davidson, individually and trading as Apex Studios; Alphonse D. Firebaugh, individually and trading as World Distributing Company; Glen Harrison, individually and trading as Union Distributing Company; Frank J. Holihan, individually and trading as Vanderbilt Arts Association; Chas. A. Huff, individually and trading as Southern Portrait Studios; A. W. Merriner, individually and trading as American Portrait Association; Paul E. O'Neill, individually and trading as Square Deal Portrait Company; R. T. Sherrod, individually and trading as Home Exhibit Club; James Spearman, individually and trading as Universal Distributing Company; Howard Stebbins, individually and trading as Stebbins Advertising Company and also trading as York Advertising Company; or trading under any other name or names, and H. R. Burch; Homer Frease; J. D. Gilmore; R. F. Jones; Ira Lowe; Paul Mogelvang; and H. D. Terry (referred to in the complaint as Howard Terry), individuals, and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale and sale and distribution in commerce as "commerce" is defined in the Federal Trade Commission Act, of tinted or colored enlargements or miniatures of photographs and snapshots and of frames therefor, do cease and desist from:

(1) Representing in any manner, directly or by implication, that colored or tinted photographs, photographic enlargements or reductions are paintings;

(2) Using the terms "paintings," "oil paintings," "portrait paintings," or "paintings finished by hand," or the word "painting" either alone or in conjunction with any other word, words or terms to designate or describe colored or tinted photographs, photographic enlargements or reductions, or other pictures produced from a photograph base or impression;

(3) Representing through the use of a "draw" or "draw contest" or so-called "lucky coupons" or "lucky certificates," or any similar device, plan, or scheme that any customer thereby will obtain a financial advantage or receive a substantial discount or reduction in the price of any picture or pictures;

(4) Representing in connection with pictures being offered or sold in the regular course of business at the usual and customary prices therefor, that such pictures are being offered for sale or sold at a reduced price as an advertising offer or introductory offer, or representing in any manner that the purchaser is receiving an advantage in price not available to all purchasers;

(5) Representing that a picture to be made and delivered will be equal in quality and appearance to any sample displayed to the customer unless the picture thereafter delivered is of the same quality, design, and workmanship as said sample;

(6) Using trade names consisting of or including such terms as "art studios," "art institute," or "art association" or any other fictitious name of similar import and effect unless the respondent using such name or names actually owns, operates, conducts, or controls an organization or establishment of the character indicated and comprehended by the trade name so used;

(7) Misrepresenting, or authorizing, permitting, or cooperating in the misrepresentation of, the financial responsibility, prestige, or standing of respondents, or any of them, or of the character or extent of their business by falsely claiming to be connected with an operating, established house or by deceptively using the business address of such established house as and for a business allegedly operated by respondents, or any of them, and from misrepresenting through the use of fictitious trade names and misleading state and post office addresses the place, character, and extent of the business actually conducted;

(8) Concealing from, or failing to disclose to, customers at the time pictures are ordered that the finished picture when delivered will be so shaped and designed that it can be used only in a specially designed odd-style frame that cannot ordinarily be obtained in stores accessible to the consuming public, and that it will be difficult or impossible to obtain a frame to fit the picture from any source other than respondents;

(9) Failing or refusing to deliver the finished picture or pictures and the original when the customer refuses to purchase a frame therefor when such customer was not advised that the purchase of a frame was a condition precedent to the contract;

(10) Failing or refusing, in cases where pictures have been ordered, completed, and paid for, to deliver to the customer the completed picture, or to return the photograph or snapshot previously loaned by the customer for us in producing the picture.

*It is further ordered.* That the complaint be, and it hereby is, dismissed without prejudice as to the following respondents: Howard V. Roberts, Secretary and Treasurer of E. H. Roberts Portrait Company; P. W. Berry, individually and trading as National Art Association; E. P. Bingham, individually and trading as Metropolitan Studios and also trading as Metropolitan Portrait Studios; J. E. Bowers, individually and trading as Interstate Studios; W. C. Bush, individually and trading as Esquire Studios; Chris Christensen, individually and trading as Van Dyke Studios; W. O. Coen, individually and trading as United Art Studio; George N. Conrad, individually and trading as Central Studios; DeForest Edwards, individually and trading as Superior Art Association; Virgil S. Firebaugh, individually and trading as Universal Art Studios; George Gulberg, individually and trading as United Artists

Association; Robert Hames, individually and trading as United Artist Studio; Floyd Hammer, individually and trading as Mid-Continent Distributing Company; George R. Harris, individually and trading as Windsor Studios; Mrs. Jack M. Jelly, individually and trading as Western Academy of Art; Jack H. Kane, individually and trading as Memorial Studios and also trading as Metropolitan Studios and also trading as Metropolitan Portrait Studios; Loyce E. Kennedy, individually and trading as Western States Portrait Company and also trading as Western Portrait Company; Harry E. Kent, individually and trading as Beaux Art Studios and also trading as Eldred Distributing and Sales Company; W. Kiker, individually and trading as United Art Studios and also trading as Western States Portrait Company; Theodore Leff, individually and trading as American Portrait Company and also trading as United Artists Association; Edward F. Lingo, individually and trading as Linwill Portrait Company and formerly trading as United Artists Association; M. J. McConahay, individually and trading as National Art Co.; R. H. Mercer, individually and trading as Sunset Art Studios; Erbie J. Moak, individually and trading as Acme Art Association; F. C. Mowery, individually and trading as Paramount Service Company—Texas; F. N. Nelson, individually and trading as Eastern Portrait Company; J. P. Nelson, individually and trading as Tiffany Service Company; R. Oates, individually and trading as Continental Art Studios; C. J. O'Keefe, individually and trading as Venetian Art Distributors; J. O. Philpot, individually and trading as Acme Art Company; Ray T. Rice, individually and trading as Empire Art Service; C. A. Shields, individually and trading as Miniature Arts Company; C. Q. Simmans, individually and trading as Royal Art Studios and also trading as Royal Studios; Harold K. Stice, individually and trading as Stice Advertising Company; O. L. Talbott and R. R. Green, individually and trading as National Portrait Company; Ed Thedell, individually and trading as The Art Studios; Arthur W. Thomson, individually and trading as National Academy of Art; Orville J. Weeks, individually and trading as Central Advertising Company; Oscar White, individually and trading as Twentieth Century Art Association; George Wiesner, individually and trading as Peerless Portrait Company; L. L. Wittenberg, individually and trading as United Art Association; and Ned Adamson; Houston Agee; L. C. Allgeier; W. L. Anderson; Herbert Atkins; James L. Bardin; Bud Bates; E. A. Benedict; A. W. Betts; Jack Bingham; Louella Brooks; C. E. Cantrell; Harry Caton; Rita Cauffiel; Susie Clark; Max Cohn; Edith Colburn; N. J. Conahy; R. Cooke; Betty Coratolo; Ensil Cross; Jack Dalton; M. Davis; A. K. DeVare; T. W. DeVore; Emil J. Dittmer; Patrick J. Durkin; Williard Dzink; Lee Eastman; F. M. Eaton; C. Eberhart; Dr. Echert; John Enyeart; Gladys Evans; Pat Evans; Yeady Evans; O. S. Ford; J. Fraser; Merlin Froland; H. C. Gilmore; O. M. Gilmore; Roy Z. Goodwin; Carl Grace;

Clarence Gray; Art Greene; Jacob M. Gross; G. R. Haing; W. A. Haire; Cora Hall; Melvin E. Hamilton; J. G. Hane; M. E. Hansen; James Hardy; A. R. Harris; J. E. Hartley; A. K. Hayden; George R. Hayne; J. G. Hayne; K. E. Heard; M. E. Hedge; W. J. Heimer; C. E. Hewell; Hobart Hodler; W. Holcomb; V. I. Holcomb; L. H. Holt; D. J. Holt; C. A. Hough; L. Howard; W. O. Huff; R. B. Jarke; Jack M. Jelly; Edwin Jones; Ethel Judd; May Justice; Lucille Kamp; A. Kane; Herb Kellar; H. L. Kennedy; L. N. Kennedy; Ray Kent; Roy Kent; Helen J. Kuhns; Milan Kukor; Don Kyees; Lloyd Kyees; C. J. LeCompte; Elden P. LeCompte; Floyd Lingo; D. A. Lions; Lola Lions; Richard R. Lions; Ted A. Lions; Wayne W. Lions; W. B. Lovings; Mary Lowe; Esther Lowery; J. N. McFarland; J. Mantell; G. J. Manuel; L. F. Marsden; L. F. Marselen; Red Melvin; J. L. Moak; James R. Monroe; Bill Moore; K. C. Murphy; G. W. Myers; K. F. Myers; Mrs. Leslie Nelson; Teddy Orcutt; Tom Parker; B. E. Patton; A. J. Pauson; Ann K. Pearce; Ruth Pearce; Cecil Phillips; L. F. Poe; Mrs. L. F. Poe; Fred Pursselley; Ider Rekkedal; Dell Reno; Allen Rensel; Dan Reppert; G. A. Rucker; Margaret Ruth; Melvin E. Sarsan; Vern Schultz; A. N. Sison; Don D. Smith; R. C. Speece; Gordon Stensrud; Milton Stensrud; Earl Stice; Marjorie Hearn Terry; E. O. Tidlund; J. P. Townsend; C. E. Turner; William Vesey; Cecil Vance; Dona Vroman; Harry Vroman; Chase Wank; J. W. Ward; J. Warren; W. Wayne; Paul H. Webb; C. L. Williams; D. E. Williamson; Thomas Wills; W. F. Wisdom; Ruby Witt; Francis Woodbain; Francis D. Woodham; Mrs. Francis D. Woodham; Charles Worth; B. U. Youmans; and Rose Ann Young.

*It is further ordered*, That respondents, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

F. R. Doc. 47-7179; Filed, July 30, 1947;  
8:56 a. m.]

[Docket No. 5200]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MOHAWK CHEMICAL PRODUCTS, INC., ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with the offering for sale, sale, and distribution in commerce, of respondents' product "Sten-O-Fren", or any product of substantially the same composition or possessing substantially similar properties, whether sold under the same or any other name, representing, directly or by implication, that said product (1) will make the rubber platen or feed rolls of a typewriter like new; (2) revitalizes, revives, or renews old or hardened rub-

ber articles; (3) transforms old or worn rubber articles to their original condition; (4) restores to old rubber its original flexibility and efficacy; or, (5) causes used or worn rubber articles to function like new, unless the restoration of the function of any such article is dependent upon slightly softening or swelling its surface; prohibited. (Sec. 5, 38 Stat. 719 as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Mohawk Chemical Products, Inc. et al., Docket 5200, June 10, 1947]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of June A. D. 1947.

*In the Matter of Mohawk Chemical Products, Inc., a Corporation, and Bainbridge, Kimpton & Haupt, Inc., a Corporation*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of Bainbridge, Kimpton & Haupt, Inc., admitting all material allegations of fact set forth in the complaint and waiving all intervening procedure and further hearing as to said facts, and upon testimony and other evidence taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief in support of the complaint (respondents not having filed brief and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered*, That respondent Mohawk Chemical Products, Inc., a corporation, and respondent Bainbridge, Kimpton & Haupt, Inc., a corporation, jointly or severally, their respective officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of the product "Sten-O-Fren," or any product of substantially the same composition or possessing substantially similar properties, whether sold under the same or any other name, do forthwith cease and desist from representing, directly or by implication:

1. That said product will make the rubber platen or feed rolls of a typewriter like new.
2. That said product revitalizes, revives, or renews old or hardened rubber articles.
3. That said product transforms old or worn rubber articles to their original condition.
4. That said product restores to old rubber its original flexibility and efficacy.
5. That said product causes used or worn rubber articles to function like new, unless the restoration of the function of any such article is dependent upon slightly softening or swelling its surface.

*It is further ordered*, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form

in which they have complied with this order.

By the Commission.

[SEAL] WM. P. GLENDENING, Jr.,  
Acting Secretary.

[F. R. Doc. 47-7178; Filed, July 30, 1947;  
8:56 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IV—National Advisory Committee for Aeronautics

#### PART 403—ORGANIZATION LABORATORIES

1. In § 403.7 *Laboratories*, in both the first and the second paragraphs, delete the words "an Engineer-in-Charge"; and substitute therefor the words "a Director".

2. In § 403.7 *Laboratories*, in the third paragraph, delete the word "Manager"; and substitute therefor the word "Director".

(Secs. 3, 12; Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

[SEAL] E. H. CHAMBERLIN,  
Acting Executive Secretary.

[F. R. Doc. 47-7168; Filed, July 30, 1947;  
8:55 a. m.]

#### PART 403—ORGANIZATION

#### PART 404—WORK FOR PRIVATE PARTIES

#### PART 405—AVAILABILITY OF INFORMATION AND RECORDS

#### MISCELLANEOUS AMENDMENTS

1. In § 403.3 *Central Office*, delete the numbers and words "1500 New Hampshire Avenue, N. W., Washington, D. C.", and substitute therefor the numbers and words "1724 F Street, N. W., Washington 25, D. C."

2. In § 404.1 *Procedure*, delete the numbers and words "1500 New Hampshire Avenue, N. W., Washington 25, D. C."; and substitute therefor the numbers and words "1724 F Street, N. W., Washington 25, D. C."

3. In § 405.2 *Other material*, delete the numbers and words "1500 New Hampshire Avenue, N. W., Washington 25, D. C."; and substitute therefor the numbers and words "1724 F Street, N. W., Washington 25, D. C."

(Secs. 3, 12; Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

[SEAL] E. H. CHAMBERLIN,  
Acting Executive Secretary.

[F. R. Doc. 47-7167; Filed, July 30, 1947;  
8:55 a. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter II—Corps of Engineers, War Department

#### PART 203—BRIDGE REGULATIONS SANTEE RIVER, SOUTH CAROLINA

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499)

## RULES AND REGULATIONS

§ 203.241 (f) is amended by revoking the subparagraph pertaining to Santee River, South Carolina as follows:

§ 203.241 *Navigable waterways of the United States discharging their waters into the Atlantic Ocean south of and including Chesapeake Bay and the Gulf of Mexico, excepting the Mississippi River and its tributaries; bridges where constant attendance of draw tenders is not required.* \* \* \*

(f) \* \* \*

Santee River, S. C.; bridges of Seaboard Air Line Railway Company (railroad) near Jamestown, Atlantic Coast Line Railroad Company (railroad) near St. Stephens, and South Carolina State Highway Department (highway) near Lanes, S. C. (At least thirty days' advance notice required.) [Revoked]

[Regs. July 9, 1947 (C. E. 823, Santee River-St. Stephens, S. C.—Mile 60)—ENGWR] (28 Stat. 362; 33 U. S. C. 499)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 47-7168; Filed, July 30, 1947;  
8:55 a. m.]

## TITLE 39—POSTAL SERVICE

### Chapter I—Post Office Department

#### PART 21—INTERNATIONAL POSTAL SERVICE SERVICE TO FOREIGN COUNTRIES; PARCEL POST SERVICE TO CHINA

The regulations under the Country "China" (39 CFR, Part 21, Subpart B—Service to Foreign Countries, as amended (12 F. R. 3364, 4400) are further amended as follows:

1. Amend the table of rates under the heading "Parcel Post—(China)", to read as follows:

[Rates include surcharges]

Pounds:	Rate	Pounds:	Rate
1	\$0.22	26	\$5.72
2	.44	27	5.94
3	.66	28	6.16
4	.88	29	6.38
5	1.10	30	6.60
6	1.32	31	6.82
7	1.54	32	7.04
8	1.76	33	7.26
9	1.98	34	7.48
10	2.20	35	7.70
11	2.42	36	7.92
12	2.64	37	8.14
13	2.86	38	8.36
14	3.08	39	8.58
15	3.30	40	8.80
16	3.52	41	9.02
17	3.74	42	9.24
18	3.96	43	9.46
19	4.18	44	9.68
20	4.40	45	9.90
21	4.62	46	10.12
22	4.84	47	10.34
23	5.06	48	10.56
24	5.28	49	10.78
25	5.50	50	11.00

2. Add to the material under the subheading "Prohibition" under the heading "Parcel Post—(China)" the following:

The following articles are prohibited unless sent as unsolicited gifts for the bona fide personal use of the addressee:

Caviar.  
Confectionery.  
Cotton or silk imitations of gold and silver thread.

Curiosities and antiques.

Damask work, Japanese crockery and lacquered articles.

Decorative or ornamental articles and materials (lace, embroidery, trimmings, spangles, tinsel, etc.).

Articles of ivory.

Jewelry. Precious and semi-precious stones (not including rough and unpolished stones).

Manicure sets and parts thereof; powder puffs and cases, vanity cases.

Musk.

Pearls, real or imitation.

Perfumes and cosmetics.

Plastic handbags, satchels and raincoats.

Silk (all fabrics of pure or mixed silk, and all articles of clothing, including parts and accessories thereof, made from pure or mixed silk).

Skins (furs) and articles made chiefly of skins (furs).

Tea.

Thermos containers.

Toilet articles (combs, brushes, etc.).

Toys and games.

Umbrellas and parasols.

The total value of a parcel containing any of the above mentioned articles must not exceed the equivalent of \$50 (U. S. currency).

Postmasters shall require the senders of parcels offered for mailing under the conditions mentioned above to endorse the wrappers to show that the articles are being sent as unsolicited gifts.

The Chinese authorities have indicated that the burden of proving that the articles mentioned are "unsolicited gifts" rests with the addressee, who may be called upon to produce documentary evidence in support of his claim.

(R. S. 161, 396, Secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 369)

[SEAL] J. M. DONALDSON,  
Acting Postmaster General.

[F. R. Doc. 47-7152; Filed, July 30, 1947;  
8:52 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Land Management, Department of the Interior

[Circ. 1650]

#### PART 192—OIL AND GAS LEASES

#### LIMITATIONS AS TO HOLDINGS

Section 192.8 *Limitation as to holdings*, is amended by eliminating the last sentence thereof.

(Sec. 32, 41 Stat. 450; 30 U. S. C. 189)

FRED W. JOHNSON,  
Director.

Approved: July 24, 1947.

C. GILBERT DAVIDSON,  
Assistant Secretary of the Interior.

[F. R. Doc. 47-7162; Filed, July 30, 1947;  
8:54 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### Subchapter Q—Alaska Commercial Fisheries

#### PART 220—SOUTHEASTERN ALASKA AREA FISHERIES OTHER THAN SALMON

#### SHRIMP FISHERY

Section 220.16 is hereby amended to read as follows:

§ 220.16 *Closed seasons, shrimp fishing.* Commercial fishing for shrimp is prohibited in the periods from February 1 to April 15, from July 15 to July 31, and from August 16 to September 30, all dates inclusive, in the waters of the Stikine district, the Eastern district east of the longitude of Cape Fanshaw, and in the Sumner Strait district north of the latitude and east of the longitude of Point Baker. *Provided.* That if by reason of the continuing abundance of shrimp in these waters in excess of spawning requirements an additional take may be made in the period from August 16 to September 30, the facts as to the exist-

ence of shrimp in such abundance, and the extent of the additional take that may be made in excess of spawning requirements, shall be obtained and recorded by the Director of the Fish and Wildlife Service, or such other person as may be designated by the Secretary of the Interior, and in accordance therewith the limits of the period or periods during which such an additional take may be made from August 16 to September 30 shall be announced by either of them, which announcement shall be final and reasonable notice thereof shall be made public in the Territory of Alaska. All waters of Duncan Canal are

closed to shrimp fishing throughout the year.

Since the taking of shrimp will be prohibited after July 31, 1947, unless this amendment is made effective at once it has been determined that the amendment shall become effective upon publication in the **FEDERAL REGISTER**.

(Sec. 1, 44 Stat. 752; 48 U. S. C. 221)

OSCAR L. CHAPMAN,  
*Acting Secretary of the Interior.*

JULY 29, 1947.

[F. R. Doc. 47-7214; Filed, July 30, 1947; 8:48 a. m.]

## PROPOSED RULE MAKING

### TREASURY DEPARTMENT

[31 CFR, Part 54]

#### EXPORT OF GOLD AND RE-EXPORT OF GOLD REFINED FROM IMPORTED GOLD-BEARING MATERIALS

##### NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved July 11, 1946, that the Secretary of the Treasury, with the approval of the President, proposes to amend the Provisional Regulations issued under the Gold Reserve Act of 1934 (48 Stat. 337). In this connection, a hearing will be held in Room 4426 of the Treasury Department, 15th and Pennsylvania Ave. NW., Washington, D. C., on August 11, 1947, beginning at 10:00 a. m. e. d. t., at which interested parties will be afforded an opportunity to present their views.

Persons desiring to be heard must notify the Secretary of the Treasury, attention Director of the Office of International Finance, prior to 5:15 p. m.,

August 7, 1947. It is requested that such persons also submit, in writing, a summary of their views prior to the date of the hearing. Persons not desiring to appear personally may submit a written statement of their views or arguments prior to the date of the hearing. All views, arguments, etc. should be submitted in quadruplicate.

The proposed amendments will provide in substance that:

1. Export licenses on form TGL-15 shall be issued with the approval of the Secretary of the Treasury only for the exportation of semi-processed gold upon application made on form TG-15 showing to the satisfaction of the Mint and the Secretary of the Treasury that the export or transport from the continental United States is for a specific and customary industrial, professional or artistic use, and not for the purpose of using or holding or disposing of such semi-processed gold beyond the limits of the continental United States as, or in lieu

of, money, or for the value of its gold content; and

2. Export licenses on form TGL-16 for the exportation of gold refined from imported gold-bearing material shall be issued only upon condition that the importer has no right, title or interest to the gold refined from the imported gold-bearing material, that the refined gold remains the property of the foreign exporter and is to be re-exported to such exporter, or pursuant to his order, and that the exportation of such gold-bearing material from the country of origin and the importation of such refined gold into the country or countries of destination are authorized under the applicable laws and regulations of such countries.

The proposed amendments are to be issued under the authority contained in section 3 of the Gold Reserve Act of 1934 (48 Stat. 340, 31 U. S. C. 442).

[SEAL] JOSEPH J. O'CONNELL, Jr.,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 47-7181; Filed, July 30, 1947; 8:46 a. m.]

## NOTICES

### TREASURY DEPARTMENT

#### United States Coast Guard

[CGFR 47-38]

#### APPROVAL AND TERMINATION OF APPROVAL OF EQUIPMENT

SECTION 1. Various items of lifesaving, firefighting, and miscellaneous equipment or installations used aboard merchant vessels and motorboats are required by statute or regulations in 46 CFR, Chapter I, to be of types approved by the Commandant, United States Coast Guard. The procedures promulgating approvals and termination of approvals are set forth in 46 CFR 2.75-1-2.75-50, inclusive (11 F. R. 177A-83).

SEC. 2. In order that approvals of equipment can be kept current and to provide a definite means for identification, approvals generally will be limited to five years and will be assigned approval

numbers. For most type approvals notices will be published in the **FEDERAL REGISTER** as well as certificates of approvals issued to those receiving the approvals, in accordance with 46 CFR 2.75-10.

SEC. 3. By virtue of the authority vested in me by R. S. 4405 and 4491, as amended (46 U. S. C. 375, 489) and section 101 of Reorganization Plan No. 3 of 1946 (11 F. R. 7875), as well as the additional authorities cited with each class in paragraph (e) below, *It is ordered*, That:

(a) All the approvals for lifesaving, fire-fighting, and miscellaneous equipment or installations, except cork or balsa wood life preservers (jacket type), fire-extinguishing systems, fire-indicating and alarm systems, electric floating automatic water lights, loud speaker systems, hand red flare distress signals, and floating orange smoke distress signals,

promulgated or declared by the Bureau of Marine Inspection and Navigation and its predecessors or the Coast Guard, which have not been published in the **FEDERAL REGISTER**, are hereby terminated effective on and after November 1, 1947: *Provided, That notwithstanding this termination of approvals all items made before the effective termination date of such approvals may be continued in use so long as in good and serviceable condition; and*

(b) All the approvals for lifesaving, fire-fighting, and miscellaneous equipment or installations which do not meet present Coast Guard requirements and are not relisted in paragraph (e) below, except cork or balsa wood life preservers (jacket type), fire-extinguishing systems, fire-indicating and alarm systems, electric floating automatic water lights, loud speaker systems, hand red flare distress signals, and floating orange smoke distress signals, promulgated or declared

## NOTICES

by the Bureau of Marine Inspection and Navigation and its predecessors or the Commandant, United States Coast Guard, which have been previously published in the *FEDERAL REGISTER*, are hereby terminated, effective on and after November 1, 1947: *Provided, That notwithstanding this termination of approvals all items made before the effective termination date of such approvals may be continued in use so long as in good and serviceable condition; and*

(c) All holders of approvals which are to be terminated by this document who may desire to appeal the actions taken shall submit to the Commandant (CMC), United States Coast Guard, Washington 25, D. C., on or before September 26, 1947, a letter setting forth the reasons why the approval should not be terminated, together with supporting data showing that the item complies with the applicable requirements now in effect, in accordance with 46 CFR 2.75-50; and

(d) All the approvals for lifesaving, fire-fighting, and miscellaneous equipment or installations meeting present Coast Guard requirements and relisted in paragraph (e) below, except cork or balsa wood life preservers (jacket type), fire-extinguishing systems, fire-indicating and alarm system, electric floating automatic water lights, loud speaker systems, hand red flare distress signals, and floating orange smoke distress signals, promulgated or declared by the Bureau of Marine Inspection and Navigation and its predecessors or the Commandant, United States Coast Guard, which have been previously published in the *FEDERAL REGISTER*, are hereby modified by assigning them approval numbers and by limiting the duration such approvals will be in effect to five years, effective upon the date of publication of this document in the *FEDERAL REGISTER*; and

(e) It is, therefore, declared that the following lifesaving, fire-fighting, and miscellaneous equipment or installations are approved effective upon the date of publication of this document in the *FEDERAL REGISTER* for a period of five years unless sooner canceled or suspended by proper authority:

NOTE: The following is a complete listing for each class of approvals, as amended, but does not include cork and balsa wood life preservers (jacket type), fire-extinguishing systems, fire-indicating and alarm systems, electric floating automatic water lights, loud speaker systems, hand red flare distress signals, and floating orange smoke distress signals.

**LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE)**

Approval No. 160.002/1/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former Approval No. B-226, manufactured by The American Pad and Textile Co., Greenfield, Ohio.

Approval No. 160.002/2/0, Model 3, adult kapok life preserver, U. S. C. G. Specification 160.002, former Approval No. B-227, manufactured by The American Pad and Textile Co., Greenfield, Ohio.

Approval No. 160.002/3/0, Model 5, child kapok life preserver, U. S. C. G. Specification 160.002, former Approval

No. B-272, manufactured by The American Pad and Textile Co., Greenfield, Ohio.

Approval No. 160.002/4/0, Model 6, child kapok life preserver, U. S. C. G. Specification 160.002, former Approval No. B-273, manufactured by The American Pad and Textile Co., Greenfield, Ohio.

Approval No. 160.002/5/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former Approval No. B-233, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.002/6/0, Model 3, adult kapok life preserver, U. S. C. G. Specification 160.002, former Approval No. B-234, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.002/7/0, Model 5, child kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-291, manufactured by Atlantic Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.002/8/0, Model 6, child kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-292, manufactured by Atlantic Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.002/9/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-236, manufactured by Cluff Fabric Products, Inc., 457 East 147th Street, New York, N. Y.

Approval No. 160.002/10/0, Model 3, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-238, manufactured by Cluff Fabric Products, Inc., 457 East 147th Street, New York, N. Y.

Approval No. 160.002/11/0, Model 6, child kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-355, manufactured by Cluff Fabric Products, Inc., 457 East 147th Street, New York, N. Y.

Approval No. 160.002/12/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-230, manufactured by Grand Novelty Co., 273 State Street, Brooklyn, New York, N. Y.

Approval No. 160.002/13/0, Model 3, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-231, manufactured by Grand Novelty Co., 273 State Street, Brooklyn, N. Y.

Approval No. 160.002/14/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-237, manufactured by Jurgensen Manufacturing Co., 28-30 Jane Street, New York 11, N. Y.

Approval No. 160.002/15/0, Model 5, child kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-293, manufactured by Jurgensen Manufacturing Co., 28-30 Jane Street, New York 11, N. Y.

Approval No. 160.002/16/0, Model 6, child kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-294, manufactured by Jurgensen Manufacturing Co., 28-30 Jane Street, New York 11, N. Y.

Approval No. 160.002/17/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-240, manufactured by Merit Manufacturing Co., 225-227 Powell Street, Brooklyn, N. Y.

Approval No. 160.002/18/0, Model 3, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-241, manufactured by Merit Manufacturing Co., 225-227 Powell Street, Brooklyn, N. Y.

Approval No. 160.002/19/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-258, manufactured by C. A. Reed Furniture Co., 4424 East 49th Street, Los Angeles 11, Calif.

Approval No. 160.002/20/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-255, manufactured by Elvin Salow Co., 379-381 Atlantic Avenue, Boston, Mass.

Approval No. 160.002/21/0, Model 6, child kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-295, manufactured by Elvin Salow Co., 379-381 Atlantic Avenue, Boston, Mass.

Approval No. 160.002/22/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-253, manufactured by Seaway Manufacturing Co., 213 North Peters Street, New Orleans, La.

Approval No. 160.002/23/0, Model 3, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-254, manufactured by Seaway Manufacturing Co., 213 North Peters Street, New Orleans, La.

Approval No. 160.002/24/0, Model 5, child kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-302, manufactured by Seaway Manufacturing Co., 213 North Peters Street, New Orleans, La.

Approval No. 160.002/25/0, Model 6, child kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-303, manufactured by Seaway Manufacturing Co., 213 North Peters Street, New Orleans, La.

Approval No. 160.002/26/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-249, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco, Calif.

Approval No. 160.002/27/0, Model 3, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-250, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco, Calif.

Approval No. 160.002/28/0, Model 6, child kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-356, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco, Calif.

Approval No. 160.002/29/0, Model 3, adult kapok life preserver, U. S. C. G. Specification 160.002, former approval No. B-244, manufactured by Jurgensen Manufacturing Co., 28-30 Jane Street, New York 11, N. Y.

Approval No. 160.002/30/0, Model 6, child kapok life preserver, U. S. C. G.

Specification 160.002, former approval No. B-372, manufactured by Fairfield Textile Works, Fairfield, Calif.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4438, 4492, 35 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 387, 391a, 396, 404, 481, 492, 526e, 526p, 1383, 50 U. S. C. 1275; 46 CFR 160.002.

#### CLEANING PROCESSES FOR LIFE PRESERVERS

(Where buoyancy fillers are not removed from envelope covers during cleaning process)

Approval No. 160.006/1/0, No. 111, cleaning process for kapok life preservers, Sinclair & Valentine Co., 611 West 129th Street, New York, N. Y.

Approval No. 160.006/2/0, Filter-Vac cleaning process for kapok life preservers, Rug Renovating Co., Inc., 1438 33d Avenue, Long Island City, N. Y.

Approval No. 160.006/3/0, Allied cleaning process for kapok life preservers, Allied Cleaners, 969 Natoma Street, San Francisco 3, Calif.

Approval No. 160.006/4/0, Sullivan, cleaning process for kapok life preservers, Sullivan Awning Co., 409 South Van Ness Street, San Francisco, Calif.

Approval No. 160.006/5/0, Moreland's cleaning process for kapok life preservers, Moreland's Industrial Laundry, 225 Roy Street, Seattle 9, Wash.

Approval No. 160.006/6/0, Shipservice cleaning process for kapok life preservers, Shipservice, Inc., 2-10 Provost Street, Brooklyn 22, N. Y.

Approval No. 160.006/7/0, Denihan cleaning process for kapok life preservers, B. J. Denihan, 215 East 64th Street, New York, N. Y.

Approval No. 160.006/8/0, Opera House cleaning process for kapok life preservers, Opera House Laundry, 217 Northwest Everett Street, Portland, Oreg.

Approval No. 160.006/9/0, Opera House cleaning process for cork life preservers, Opera House Laundry, 217 Northwest Everett Street, Portland, Oreg.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4438, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 387, 391a, 396, 404, 481, 492, 526e, 526p, 1383, 50 U. S. C. 1275; 46 CFR 160.006-4.

#### BUOYANT CUSHIONS, STANDARD

Approval No. 160.007/1/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-60, manufactured by Seaway Manufacturing Co., Inc., 213 North Peters Street, New Orleans, La.

Approval No. 160.007/2/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-71, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco, Calif.

Approval No. 160.007/3/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-82, manufactured by Atlantic-Pacific Mfg. Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.007/4/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-85, manufactured by Acme Products, Inc., 152 Brewery Street, New Haven, Conn.

Approval No. 160.007/5/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-86, manufactured by Zee Rose, 853 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.007/6/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-93, manufactured by Cluff Fabric Products, Inc., 457 East 147th Street, New York, N. Y.

Approval No. 160.007/7/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-94, manufactured by Elvin Salow Co., 379-381 Atlantic Avenue, Boston, Mass.

Approval No. 160.007/8/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-95, manufactured by Grand Novelty Co., 273 State Street, Brooklyn, N. Y.

Approval No. 160.007/9/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-107, manufactured by Protection Products Co., 615 North Aberdeen St., Chicago, Ill.

Approval No. 160.007/10/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-108, manufactured by The Comfort Cushion Co., 5062 Loraine, Detroit, Mich.

Approval No. 160.007/11/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-109, manufactured by Fortier Upholstery Co., Manistee, Mich.

Approval No. 160.007/12/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-110, manufactured by W. L. Dumas Manufacturing Co., 14 A Street NW, Miami, Okla.

Approval No. 160.007/13/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-111, manufactured by Great Lakes Cushion Co., 4609 12th Street, Detroit, Mich.

Approval No. 160.007/14/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-122, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.007/15/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-123, manufactured by Badgley Manufacturing Co., 3216 Southeast Hawthorne Boulevard, Portland, Oreg.

Approval No. 160.007/16/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-127, manufactured by Benjamin T. Crump Co., Inc., 1310 East Franklin Street, Richmond, Va.

Approval No. 160.007/17/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-128, manufactured by Mr. M. Gottfried, 2061 Jerome Avenue, Bronx, N. Y.

Approval No. 160.007/18/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. B-354, manufactured by Neptune Specialties, Inc., 190 Columbia Heights, Brooklyn, N. Y.

Approval No. 160.007/19/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-144, manufactured by The H. S. White

Manufacturing Co., Inc., 5th and Rosabel Streets, St. Paul, Minn.

Approval No. 160.007/20/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-156, manufactured by Fairfield Textile Works, Suisun, Calif.

Approval No. 160.007/21/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-170, manufactured by Old Town Canoe Co., Old Town, Maine.

Approval No. 160.007/22/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-171, manufactured by Detroit Cushion Manufacturing Co., Royal Oak, Mich.

Approval No. 160.007/23/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-183, manufactured by Boston Leather Specialties, Inc., Everett, Mass.

Approval No. 160.007/24/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-205, manufactured by Wycombe, Meyer, Inc., Norwalk, Conn.

Approval No. 160.007/25/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-215, manufactured by Howard Zink Corp., Fremont, Ohio.

Approval No. 160.007/26/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-305, manufactured by Burlington Mills, Inc., Burlington, Wis.

Approval No. 160.007/27/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-306, manufactured by Gladson Upholstering Shop, 2429 Wildwood Avenue, Cleveland, Tenn.

Approval No. 160.007/28/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-307, manufactured by Lite Manufacturing Co., Inc., 101 West 21st Street, New York.

Approval No. 160.007/29/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-335, manufactured by Design Upholsterers, 1945 Spielbusch Avenue, Toledo, 2, Ohio.

Approval No. 160.007/30/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-334, manufactured by Sears, Roebuck & Co., 925 South Homan Avenue, Chicago 7, Ill.

Approval No. 160.007/31/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-310, manufactured by Benton Harbor Awning & Tent Co., Benton Harbor, Mich.

Approval No. 160.007/32/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-311, manufactured by McPhaul Motor-boat Cushion Co., 794 3d Street, Yuma, Ariz.

Approval No. 160.007/33/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-312, manufactured by Melman, Inc., 5910 Northeast Second Avenue, Miami 38, Fla.

Approval No. 160.007/34/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No.

## NOTICES

A-333, manufactured by Montgomery Ward & Co., 619 West Chicago Avenue, Chicago 7, Ill.

Approval No. 160.007/35/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-314, manufactured by The S. E. Hyman Co., Fremont, Ohio.

Approval No. 160.007/36/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-315, manufactured by Earl G. Warfield, 110 Broad Street, Lynn, Mass.

Approval No. 160.007/37/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-316, manufactured by Jurgensen Manufacturing Co., 28-30 Jane Street, New York 11, N. Y.

Approval No. 160.007/38/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-317, manufactured by Curran Cushion & Textile Co., South Main Street, Downers Grove, Ill.

Approval No. 160.007/39/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-318, manufactured by International Cushion & Slip Cover Co., 515 North Halsted Street, Chicago, Ill.

Approval No. 160.007/40/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-319, manufactured by Higgins Sporting Goods Co., 1536 South Harvard, Tulsa 4, Okla.

Approval No. 160.007/41/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-320, manufactured by Freeport Bedding Co., Inc., 21 East Merrick Road, Freeport, N. Y.

Approval No. 160.007/42/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-321, manufactured by Aalco Manufacturing Co., 728 Dallas Drive, St. Louis County 23, Mo.

Approval No. 160.007/43/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-324, manufactured by Necessities, Limited, P. O. Box 2148, Greenville, S. C.

Approval No. 160.007/44/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-325, manufactured by Evr-Klean Manufacturing Co., 2301 Madison Avenue, St. Louis, Mo.

Approval No. 160.007/45/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-326, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn, N. Y.

Approval No. 160.007/46/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-327, manufactured by The Firestone Tire & Rubber Co., Akron, Ohio.

Approval No. 160.007/47/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-328, manufactured by Canvas Products Co., 622-24, Prospect Avenue, Kansas City 1, Mo.

Approval No. 160.007/48/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No.

A-329, manufactured by J. P. McNally Co., 22 Commercial Wharf (North) Boston, Mass.

Approval No. 160.007/49/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-330, manufactured by Merit Manufacturing Corp., 225-27 Powell Street, Brooklyn 2, N. Y.

Approval No. 160.007/50/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-331, manufactured by Armond's, 3709-11 Winchester Avenue, Atlantic City, N. J.

Approval No. 160.007/51/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-332, manufactured by Colonial Mercantile & Manufacturing Co., 1715 Mansfield Road, Toledo 12, Ohio.

Approval No. 160.007/52/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval number A-333, manufactured by Affiliated Retailers, Inc., 350 5th Avenue, New York, N. Y.

Approval No. 160.007/53/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-334, manufactured by Brooklyn Upholstering Co., (Rear) 3525 South Hanover Street, Baltimore 25, Md.

Approval No. 160.007/54/0, Standard kapok buoyant cushion, U. S. C. G. Specification 160.007, former approval No. A-335, manufactured by DeMore Manufacturing Co., 547 Meeting Street, Charleston, S. C.

ADDITIONAL AUTHORITY: 54 Stat. 164, 166; 46 U. S. C. 526a, 526p; 46 CFR 25.4-1, 28.4-8.

## BUOYANT CUSHIONS, NON-STANDARD

Approval No. 160.008/1/0, 15" x 15" x 2", buoyant cushion, 24 oz. Typha (processed cattail floss), specification dated 17 April 1944 (approved for duration of national emergency and six months thereafter), former approval No. B-222, manufactured by Acme Products, Inc., 152 Brewery Street, New Haven, Conn.

Approval No. 160.008/2/0, 13" x 18" x 2" rectangular buoyant cushion, 24 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-61, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/3/0, 14" x 14" x 2" seat, 18 oz. kapok, 14" x 14" x 2" back, 18 oz. kapok, double buoyant cushion, U. S. C. G. specification 160.008, former approval No. B-62, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/4/0, 14" x 20" x 2", rectangular buoyant cushion, 24 oz. kapok, U. S. C. G. Specification 160.008, former approval No. B-63, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/5/0, 12" x 48" x 2", rectangular buoyant cushion, 52 oz. kapok, U. S. C. G. Specification 160.008, former approval No. B-64, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/6/0, 12" x 36" x 2", rectangular buoyant cushion, 39 oz. kapok, U. S. C. G. specification 160.008,

former approval No. B-65, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/7/0, 12" x 24" x 2" rectangular buoyant cushion, 26 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-66, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/8/0, 14" x 17" x 2" rectangular buoyant cushion, 24 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-67, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/9/0, 15" x 15" x 2" buoyant cushion, 24 oz. typha (Processed Cattail Floss), Dwg. dated 12 August 1943 (approved for duration of National Emergency and 6 months thereafter), former approval No. B-208, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/10/0, 14" x 14" x 2" seat, 18 oz. kapok, 14" x 18" x 2" back, 20 oz. kapok, double buoyant cushion, Dwg. No. B-70, dated 27 Jan. 1946, U. S. C. G. specification 160.008, former approval No. B-289, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/11/0, 14" x 18" x 2" rectangular buoyant cushion, 20 oz. kapok, Dwg. No. B-66, dated 23 February 1946, U. S. C. G. specification 160.008, former approval No. B-290, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/12/0, 15" x 48" x 2" rectangular buoyant cushion, 64 oz. kapok, Dwg. Nos. C-198 and A-135, dated 1 Nov. 1946, U. S. C. G. specification 160.008, former approval No. B-357, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/13/0, 12" x 20" x 2" rectangular buoyant cushion, 22 oz. kapok, undated Dwg. No. A, U. S. C. G. specification 160.008, former approval No. B-98, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/14/0, 12" x 24" x 2", rectangular buoyant cushion, 30 oz. kapok, undated Dwg. No. A, U. S. C. G. Specification 160.008, former approval No. B-99, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/15/0, 12" x 30" x 2" rectangular buoyant cushion, 34 oz. kapok, undated Dwg. No. A, U. S. C. G. Specification 160.008, former approval No. B-100, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/16/0, 12" x 36" x 2", rectangular buoyant cushion, 38 oz. kapok, undated Dwg. No. A, U. S. C. G. Specification 160.008, former approval No. B-101, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/17/0, 12" x 42" x 2" rectangular buoyant cushion, 46 oz. kapok, undated Dwg. No. A, U. S. C. G. Specification 160.008, former approval No. B-102, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.





Approval No. 160.008/86/0, 18" x 42" x 2" rectangular buoyant cushion, 67 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-330, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/87/0, 18" x 45" x 2" rectangular buoyant cushion, 72 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-331, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/88/0, 18" x 48" x 2" rectangular buoyant cushion, 77 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-332, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/89/0, 18" x 51" x 2" rectangular buoyant cushion, 82 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-333, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/90/0, 18" x 54" x 2" rectangular buoyant cushion, 86 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-334, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/91/0, 18" x 57" x 2" rectangular buoyant cushion, 91 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-335, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/92/0, 18" x 60" x 2" rectangular buoyant cushion, 96 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-336, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/93/0, 21" x 21" x 2" rectangular buoyant cushion, 39 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-337, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/94/0, 21" x 24" x 2" rectangular buoyant cushion, 45 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-338, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/95/0, 21" x 27" x 2" rectangular cushion, 50 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-339, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/96/0, 21" x 30" x 2", rectangular buoyant cushion, 56 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-340, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/97/0, 21" x 33" x 2" rectangular buoyant cushion, 62 oz. kapok, Dwg. dated 25 May 1946, U. S.

C. G. specification 160.008, former approval No. B-341, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/98/0, 21" x 36" x 2" rectangular buoyant cushion, 67 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-342, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/99/0, 21" x 39" x 2" rectangular buoyant cushion, 73 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-343, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/100/0, 21" x 42" x 2" rectangular buoyant cushion, 78 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-344, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/101/0, 21" x 45" x 2" rectangular buoyant cushion, 84 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-345, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/102/0, 21" x 48" x 2" rectangular buoyant cushion, 90 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-346, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/103/0, 21" x 51" x 2" rectangular buoyant cushion, 95 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-347, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/104/0, 21" x 54" x 2" rectangular buoyant cushion, 101 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-348, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/105/0, 21" x 57" x 2" rectangular buoyant cushion, 106 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. B-349, manufactured by the Atlantic Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/106/0, 21" x 60" x 2" rectangular buoyant cushion, 112 oz. kapok, Dwg. dated 25 May 1946, U. S. C. G. specification 160.008, former approval No. 350, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/107/0, 12" x 18" x 21" x 2" trapezoidal buoyant cushion 20 oz. kapok Dwg. dated 27 May 1946, U. S. C. G. specification 160.008, former approval No. B-308, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/108/0, 15" x 15" x 2", buoyant cushion filled with 24 oz. Typha (processed cattail floss), Dwg. No. 4644, dated 6 April, 1944 (approved for duration of National Emergency and 6 months thereafter), former approval B-219, manufactured by Atlantic-Pacific

Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/109/0, 14" x 20" x 2" rectangular buoyant cushion, 25 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-68, manufactured by Badgley Manufacturing Co., 1727 North Benton, Portland, Oreg.

Approval No. 160.008/110/0, 15" x 15" x 2", buoyant cushion filled with 24 oz. Typha (Processed cattail floss) (approved for duration of National Emergency and 6 months thereafter), former approval No. B-198, manufactured by Burgess-Manning Co., 180 Wabash Avenue, Chicago, Ill.

Approval No. 160.008/111/0, 13" x 19" x 2" rectangular buoyant cushion, 22 oz. kapok, Dwg. No. 25, dated 27 July 1946, U. S. C. G. specification 160.008, former approval No. B-353, manufactured by Burlington Mills, Inc., Burlington, Wis.

Approval No. 160.008/112/0, 15" x 15" x 2" buoyant cushion cushion filled with 40 oz. fibrous glass complying with Navy Dept. Spec. 23-G-7, U. S. C. G. specification 160.008 former approval No. B-296, manufactured by Comfort Cushion Co., 5026-84 Loraine Street, Detroit, Mich.

Approval No. 160.008/113/0, 15" x 17" x 19 1/2" x 2 1/2" trapezoidal buoyant cushion; 35 oz. kapok, Dwg. No. SK3680, dated 20 January 1942, U. S. C. G. specification 160.008, former approval No. B-70, manufactured by Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/114/0, 17 1/2" x 19 1/2" x 2 1/2" rectangular buoyant cushion, 39 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-71, manufactured by Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/115/0, 18 1/2" x 19" x 2 1/2" rectangular buoyant cushion 40 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-72, manufactured by Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/116/0, 16 1/2" x 21 1/2" x 24" x 2" trapezoidal buoyant cushion 36 oz. kapok, Dwg. No. SK3679, dated 20 January 1942, U. S. C. G. specification 160.008, former approval No. B-73, manufactured by Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/117/0, 16 1/2" x 24" x 2" rectangular buoyant cushion, 36 oz. kapok, Dwg. No. SK3678, dated 20 January 1942, U. S. C. G. specification 160.008, former approval No. B-74, manufactured by Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/118/0, 17" x 17" x 2 1/2" rectangular buoyant cushion, 32 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-75, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/119/0, 16" x 17" x 17" x 2 1/2" trapezoidal buoyant cushion, 31 oz. kapok, Dwg. No. SK3677, dated 20 January 1942, U. S. C. G. specification 160.008, former approval No. B-76, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/120/0, 17" x 24" x 25" x 2 1/2" trapezoidal buoyant cushion, 47 oz. kapok, Dwg. No. SK3676, dated 20 January 1942, U. S. C. G. specification

## NOTICES

160.008, former approval No. B-77, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/121/0, 17½" x 23" x 24" x 2¾" trapezoidal buoyant cushion, 50 oz. kapok, Dwg. No. SK3675, dated 20 January 1942, U. S. C. G. specification 160.008, former approval No. B-78, manufactured by Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/122/0, 17" x 18" x 2¾" rectangular buoyant cushion, 39 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-79, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/123/0, 17½" x 18½" x 2½" rectangular buoyant cushion, 36 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-80, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/124/0, 16" x 18" x 19" x 2½" trapezoidal buoyant cushion, 38 oz. kapok, Dwg. No. SK3674, dated 20 January 1942, U. S. C. G. specification 160.008, former approval No. B-81, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/125/0, 17" x 19" x 2½" rectangular buoyant cushion, 38 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-82, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/126/0, 17" x 19" x 2½" rectangular buoyant cushion, 36 oz. kapok, Dwg. No. SK3673, dated 20 January 1942, U. S. C. G. specification 160.008, former approval No. B-83, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/127/0, 19½" x 19½" x 2½" rectangular buoyant cushion, 43 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-84, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/128/0, 19" x 19½" x 21" x 22½" x 2" trapezoidal buoyant cushion, 48 oz. kapok, Dwg. No. SK3672, dated 20 Jan. 1942, U. S. C. G. specification 160.008, former approval No. B-85, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/129/0, 17" x 21" x 2½" rectangular buoyant cushion, 40 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-86, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/130/0, 17" x 17½" x 20" x 21" x 2½" trapezoidal buoyant cushion, 40 oz. kapok, Dwg. No. SK3671, dated 20 Jan. 1942, U. S. C. G. specification 160.008, former approval No. B-87, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/131/0, 16½" x 37½" x 3" rectangular buoyant cushion, 83 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-88, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/132/0, 16½" x 24½" x 27½" x 2" trapezoidal buoyant cushion 39 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-89, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/133/0, 18½" x 24" x 3" rectangular buoyant cushion

60 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-90, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/134/0, 19" x 40" x 3" rectangular buoyant cushion, 100 oz. kapok, U. S. C. G. specification 160.008, former approval B-91, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/135/0, 18" x 19" x 2" rectangular buoyant cushion, 31 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-92, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/136/0, 20" x 28½" x 3" rectangular buoyant cushion, 76 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-93, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/137/0, 15" x 20" x 28" x 28½" x 3" trapezoidal buoyant cushion, 66 oz. kapok, Dwg. No. SK3688, dated 20 January 1942, U. S. C. G. Specification 160.008, former approval No. B-94, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/138/0, 21" x 31" x 2¾" rectangular buoyant cushion 80 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-95, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/139/0, 29" x 30" x 20½" x 2¾" trapezoidal buoyant cushion, 76 oz. kapok, Dwg. SK3667, dated 20 January 1942, U. S. C. G. specification 160.008, former approval No. B-96, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/140/0, 20" x 23" x 2" rectangular buoyant cushion, 72 oz. kapok, Dwg. No. SK 6728, Rev. 6, May 1946; No. SK 3681, dated 20 January 1946, U. S. C. G. specification 160.008, former approval No. B-305, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/141/0, 24" x 27" x 2½" rectangular buoyant cushion 88 oz. kapok, Dwg. No. SK 6729, Rev. 6 May, 1946 and SK 3681, dated 20 January 1946, U. S. C. G. specification 160.008, former approval No. B-306, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/142/0, 17" x 18" x 2" rectangular buoyant cushion 40 oz. kapok, Dwg. Nos. SK 6770, dated 26 May 1946 and SK 3691, Rev. 5 June 1946, U. S. C. G. specification 160.008, former approval No. B-352, manufactured by the Chris-Craft Corp., Algonac, Mich.

Approval No. 160.008/143/0, 12" x 20" x 2" rectangular kapok buoyant cushion, 23 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-274, manufactured by Cluff Fabric Products, Inc., 457-467 East 147th Street, New York, N. Y.

Approval No. 160.008/144/0, 14" x 18" x 2" rectangular buoyant cushion, 21 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-275, manufactured by Cluff Fabric Products, Inc., 457-467 East 147th Street, New York, N. Y.

Approval No. 160.008/145/0, 14" x 24" x 2", rectangular buoyant cushion, 30 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-276, manufactured by Cluff Fabric Products, Inc., 457-467 East 147th Street, New York, N. Y.

Approval No. 160.008/146/0, 14" x 45" x 2" rectangular buoyant cushion, 55 oz. kapok, U. S. C. G. specification 160.008 former approval No. B-277, manufactured by Cluff Fabric Products, Inc., 457-467 East 147th Street, New York, N. Y.

Approval No. 160.008/147/0, 14" x 20" x 2" rectangular buoyant cushion, 20 oz. kapok, Dwg. dated 30 March 1946, U. S. C. G. specification 160.008, former approval No. B-278, manufactured by Cluff Fabric Products, Inc., 457-467 East 147th Street, New York, N. Y.

Approval No. 160.008/148/0, 19" x 22" x 2" chair design buoyant cushion 34 oz. kapok, Dwg. dated 30 March 1946, U. S. C. G. specification 160.008, former approval No. B-279, manufactured by Cluff Fabric Products, Inc., 457-467 East 147th Street, New York, N. Y.

Approval No. 160.008/149/0, 12" x 14" x 2" seat 15 oz. kapok 12" x 18" x 2" back, 14 oz. kapok double buoyant cushion, U. S. C. G. specification 160.008, former approval No. B-280, manufactured by Cluff Fabric Products, Inc., 457-467 East 147th Street, New York, N. Y.

Approval No. 160.008/150/0, 15" x 20" x 2" rectangular buoyant cushion, 27 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-284, manufactured by Cluff Fabric Products, Inc., 457-467 East 147th Street, New York, N. Y.

Approval No. 160.008/151/0, 15" x 15" x 2" buoyant cushion filled with 24 oz. Typha (Processed cattail floss) (approved for duration of National Emergency and 6 months thereafter), former approval No. B-283, manufactured by Dumas Manufacturing Co., 14 A Street N. W., Miami, Okla.

Approval No. 160.008/152/0, 13" x 18" x 2" rectangular buoyant cushion, 20 oz. kapok, Dwg. No. 1-113, dated 6 February 1947, U. S. C. G. specification 160.008, former approval No. B-370, manufactured by Fairfield Textile Works, Suisun, Calif.

Approval No. 160.008/153/0, 15" x 15" x 2" buoyant cushion filled with 24 oz. Typha (processed cattail floss) Specification dated 19 December 1944 (approved for duration of National Emergency and 6 months thereafter), former approval No. B-259, manufactured by Flamingo Textiles, Inc., 427 Northwest 3d Avenue, Miami, Fla.

Approval No. 160.008/154/0, 15" x 15" x 2" buoyant cushion, 21 oz. kapok, Dwg. No. 2, dated 26 January 1946, U. S. C. G. specification 160.008, former approval No. B-285, manufactured by M. W. Fogg Co., 57 Rose Street, New York, N. Y.

Approval No. 160.008/155/0, 15" x 15" x 2" seat, 21 oz. kapok; 15" x 15" x 2" back, 21 oz. kapok, double kapok buoyant cushion, Dwg. No. 1, dated 15 January 1946, U. S. C. G. specification 160.008, former approval No. B-286, manufactured by M. W. Fogg Co., 57 Rose Street, New York, N. Y.

Approval No. 160.008/156/0, 14" x 14" x 2" seat, 20 oz. kapok; 14" x 14" x 2", back, 20 oz. kapok; double buoyant cushion Dwg. No. DC-1, dated 17 January 1947, U. S. C. G. Specification 160.008, former approval No. B-358, manu-

factured by Jurgensen Manufacturing Co., 162 Gates Avenue, Brooklyn, N. Y.

Approval No. 160.008/157/0, 14" x 14" x 2" seat, 20 oz. kapok, 14" x 18" x 2" back, 25 oz. kapok, double buoyant cushion, Dwg. No. DC-1, dated 17 January 1947, U. S. C. G. specification 160.008, former approval No. B-359, manufactured by Jurgensen Manufacturing Co., 162 Gates Avenue, Brooklyn, N. Y.

Approval No. 160.008/158/0, 13" x 21" x 2" rectangular buoyant cushions, 24 oz. kapok, Dwg. No. L-204, dated 18 January 1947, U. S. C. G. specification 160.008, former approval No. B-366, manufactured by Necessities, Limited, P. O. Box 2148, Greenville, S. C.

Approval No. 160.008/159/0, 15" x 15" x 2" buoyant cushion, 24 oz. Typha (processed cattail floss), specification dated 26 February 1944 (approved for duration of National Emergency and 6 months thereafter) former approval No. B-210, manufactured by Old Town Canoe Co., Old Town, Maine.

Approval No. 160.008/160/0, 14" x 48" x 2" rectangular buoyant cushion, 70 oz. kapok, Dwg. No. 313, dated 13 March 1946, U. S. C. G. specification 160.008, former approval No. B-298, manufactured by Elvin Salow Co., 379-381 Atlantic Avenue, Boston, Mass.

Approval No. 160.008/161/0, 14" x 20" x 2" rectangular buoyant cushion, 30 oz. kapok, Dwg. No. 313, dated 13 March 1946, former approval No. B-299, manufactured by Elvin Salow Co., 379-381 Atlantic Avenue, Boston, Mass.

Approval No. 160.008/162/0, 18" x 22" x 2" rectangular buoyant cushion, 48 oz. kapok, Dwg. No. 313, dated 13 March 1946, U. S. C. G. specification 160.008, former approval No. B-300, manufactured by Elvin Salow Co., 379-381 Atlantic Avenue, Boston, Mass.

Approval No. 160.008/163/0, 15" x 20" x 2", rectangular buoyant cushion, 27 oz. kapok, Dwg. No. 313, dated 13 March 1946, U. S. C. G. Specification 160.008, former approval No. B-301, manufactured by Elvin Salow Co., 379-381 Atlantic Avenue, Boston, Mass.

Approval No. 160.008/164/0, 15" x 15" x 2" buoyant cushion, 24 oz. Typha (processed cattail floss) (approved for duration of National Emergency and 6 months thereafter) former approval No. B-205, manufactured by the Elvin Salow Co., 379-381 Atlantic Avenue, Boston, Mass.

Approval No. 160.008/165/0, 14" x 21" x 2" rectangular buoyant cushion, 20 oz. kapok, U. S. C. G. specification 160.008, former approval No. B-60, manufactured by Seaway Manufacturing Co., Inc., 213 North Peters Street, New Orleans, La.

Approval No. 160.008/166/0, 15" x 15" x 2" buoyant cushion, 24 oz. Typha (processed cattail floss) (approved for duration of National Emergency and 6 months thereafter) Dwg. No. SMBC 44, dated 6 April 1944, former approval No. B-221, manufactured by Seaway Manufacturing Co., Inc., 213 North Peters Street, New Orleans, La.

Approval No. 160.008/167/0, 13" x 20" x 2" rectangular buoyant cushion, 20 oz. kapok, Dwg. dated 3 January 1946, U. S. C. G. specification 160.008, former approval No. B-287, manufactured by

Seaway Manufacturing Co., Inc., 213 North Peters St., New Orleans, La.

Approval No. 160.008/168/0, 18" x 18" x 2" rectangular buoyant cushion, 24 oz. kapok, Dwg. dated 3 January 1946, U. S. C. G. specification 160.008, former approval No. B-288, manufactured by Seaway Manufacturing Co., Inc., 213 North Peters Street, New Orleans, La.

Approval No. 160.008/169/0, 15" x 15" x 2" buoyant cushion, 24 oz. Typha (processed cattail floss) (approved for duration of National Emergency and 6 months thereafter), specification dated 30 August 1945, former approval No. B-270, manufactured by Shaw Upholstery Co., 5910 Northeast 2d Avenue, Miami, Fla.

Approval No. 160.008/170/0, 15" x 15" x 2" buoyant cushion, 24 oz. Typha (processed cattail floss) (approved for duration of National Emergency and 6 months thereafter), specification dated 29 December 1944, former approval No. B-223, manufactured by W. H. Temme & Co., 827-31 Madison Street, Oak Park, Ill.

Approval No. 160.008/171/0, 14" x 14" x 2" seat, 18 oz. kapok; 14" x 14" x 2" back, 18 oz., kapok; double buoyant cushion, Dwg. Nos. 4006, dated 9 February 1947, and 4007, dated 7 February 1947, U. S. C. G. specification 160.008, former approval B-367, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn, N. Y.

Approval No. 160.008/172/0, 14" x 16" x 2" rectangular buoyant cushion 22 oz. kapok, Dwg. No. 5051, dated 8 February 1947, U. S. C. G. specification 160.008, former approval B-368, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn, N. Y.

Approval No. 160.008/173/0, 12" x 48" x 2" rectangular buoyant cushion, 51 oz. kapok, Dwg. No. 5052, dated 8 February 1947, U. S. C. G. specification 160.008, former approval No. B-369, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn, N. Y.

Approval No. 160.008/174/0, 15" x 15" x 2" buoyant cushion 24 oz. Typha (processed cattail floss) (approved for duration of National Emergency and 6 months thereafter), specification dated 31 May 1945, former approval No. B-267, manufactured by Velvagraph Co., 625 Broadway, New York, N. Y.

Approval No. 160.008/175/0, 13" x 20" x 2" rectangular buoyant cushion, 24 oz. kapok Dwg. No. 4, dated 17 January 1947, U. S. C. G. specification 160.008, former approval No. B-362, manufactured by H. S. White Manufacturing Co., 6th and Rosabel, St. Paul, Minn.

Approval No. 160.008/176/0, 13" x 18" x 2" rectangular buoyant cushion, 21 oz. kapok, Dwg. No. 3, dated 17 January 1947, U. S. C. G. specification 160.008, former approval No. B-363, manufactured by H. S. White Manufacturing Co., 6th and Rosabel, St. Paul, Minn.

Approval No. 160.008/177/0, 15" x 17" x 2" rectangular buoyant cushion, 23 oz. kapok, Dwg. No. 2, dated 17 January 1947, U. S. C. G. specification 160.008, former approval No. B-364, manufactured by H. S. White Manufacturing Co., 6th and Rosabel, St. Paul, Minn.

Approval No. 160.008/178/0, 15" x 17" x 2" rectangular buoyant cushion, 23 oz. kapok, Dwg. No. 1, dated 17 January 1947, U. S. C. G. specification 160.008, former approval No. B-365, manufactured by H. S. White Manufacturing Co., 6th and Rosabel, St. Paul, Minn.

Approval No. 160.008/179/0, 15" x 15" x 2", buoyant cushion filled with 24 oz. Typha (processed cattail floss) (approved for duration of National Emergency and 6 months thereafter), former approval No. B-269, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco, Calif.

Approval No. 160.008/180/0, 14 1/4" x 15 3/4" x 2" rectangular buoyant cushion, 20 oz. kapok, Dwg. No. 1-109, dated 14 February 1946, U. S. C. G. specification 160.008, former approval No. B-297, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco, Calif.

Approval No. 160.008/181/0, 14" x 18" x 2" rectangular buoyant cushion, 20 oz. kapok, Dwg. No. 1-110, dated 12 March 1946, U. S. C. G. specification 160.008, former approval No. B-307, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco, Calif.

Approval No. 160.008/182/0, 15" x 15" x 2" seat, 20 oz. kapok; 15" x 15" x 2" back, 20 oz. kapok; double buoyant cushion, Dwgs. Nos. 4014-A, dated 15 March 1947 and 4014-S, dated 14 March 1947, U. S. C. G. Specification 160.008, former approval No. B-373, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/183/0, 15" x 15" x 2" seat, 20 oz. kapok; 15" x 20" x 2" back, 27 oz. kapok, double buoyant cushion, Dwg. Nos. 4013-A, dated 14 March 1947 and 4013-S, dated 14 March 1947, U. S. C. G. Specification 160.008, former approval No. B-374, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/184/0, 19" x 21" x 2" fishing chair design buoyant cushion, 36 oz. kapok, Dwg. Nos. 4010-A, dated 10 March 1947, U. S. C. G. Specification 160.008, former approval No. B-375, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/184/0, 19" x 21" x 2" fishing chair design buoyant cushion, 36 oz. kapok, Dwg. Nos. 4010-A, dated 10 March 1947, U. S. C. G. Specification 160.008, former approval No. B-375, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/185/0, 15" x 20" x 2" rectangular buoyant cushion, 27 oz. kapok, Dwg. Nos. 4012-A, dated 14 March 1947, and 4012-S dated 13 March 1947, U. S. C. G. Specification 160.008, former approval No. B-376, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/186/0, 12" x 20" x 2" rectangular buoyant cushion, 22 oz. kapok, Dwg. Nos. 4011-A, dated 13 March 1947, and 4011-S dated 13 March 1947, U. S. C. G. Specification 160.008, former approval No. B-186, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/187/0, 12" x 14" x 2" seat 15 oz. kapok, 12" x 18" x 2", back, 20 oz. kapok; Dwg. Nos. 4015-A, dated 16 March 1947 and 4015-S, dated 16 March 1947, U. S. C. G. Specification 160.008, former approval No. B-378, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

## NOTICES

Approval No. 160.008/188/0, 11 $\frac{3}{4}$ " x 15" x 20 $\frac{1}{4}$ " x 21" x 2", trapezoidal buoyant cushion, 26 oz. kapok, Dwg. No. NSC-1, dated 8 April 1947, U. S. C. G. Specification 160.008, former approval No. B-379, manufactured by Benton Harbor Awning & Tent Co., 136 Territorial Road, Benton Harbor, Mich.

Approval No. 160.008/189/0, 14" x 18" x 2" rectangular buoyant cushion, 23 oz. kapok, Dwg. No. 4016, dated 30 March 1947, U. S. C. G. Specification 160.008, former approval No. B-380, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/190/0, 16" x 18" x 2" rectangular buoyant cushion, 26 oz. kapok, Dwg. No. 4016, dated 30 March 1947, U. S. C. G. Specification 160.008, former approval No. B-381, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/191/0, 15" x 30" x 2" rectangular buoyant cushion, 40 oz. kapok, Dwg. No. 4016, dated 30 March 1947, U. S. C. G. Specification 160.008, former approval No. B-382, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/192/0, 14" x 25" x 2" rectangular buoyant cushion, 31 $\frac{1}{2}$  oz. kapok, Dwg. No. 4017, dated 1 April 1947, U. S. C. G. Specification 160.008, former approval No. B-383, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/193/0, 16" x 25" x 2" rectangular buoyant cushion, 36 oz. kapok, Dwg. No. 4017, dated 1 April 1947, U. S. C. G. Specification 160.008, former approval No. B-384, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/194/0, 15" x 26" x 2" rectangular buoyant cushion, 35 oz. kapok, Dwg. No. 4017, dated 1 April 1947, U. S. C. G. Specification 160.008, former approval No. B-385, manufactured by Trojan Marine Manufacturing Co., Inc., 273-81 State Street, Brooklyn 2, N. Y.

Approval No. 160.008/195/0, 14" x 18" x 2" rectangular buoyant cushion, 20 oz. kapok, The American Pad and Textile Co., Dwg. No. B-66, dated 23 February 1946, U. S. C. G. Specification 160.008, former approval No. B-386, manufactured by Affiliated Retailers, Inc., 350 Fifth Avenue, New York, N. Y.

Approval No. 160.008/196/0, 13" x 18" x 2" rectangular buoyant cushion, 20 oz. kapok, U. S. C. G. Specification 160.008, former approval No. B-387, manufactured by Montgomery Ward & Co., 619 West Chicago Avenue, Chicago 7, Ill.

Approval No. 160.008/197/0, 14" x 18" x 2" rectangular buoyant cushion, 20 oz. kapok, The American Pad and Textile Co., Dwg. No. B-66, dated 23 February 1946, U. S. C. G. Specification 160.008, former approval No. B-388, manufactured by Sears, Roebuck & Co., 925 South Homan Avenue, Chicago 7, Ill.

Approval No. 160.008/198/0, 12" x 32" x 2" rectangular buoyant cushion, 34 oz. kapok, Dwg. Nos. C-230 and A-175, dated 21 April 1947 U. S. C. G. Specification 160.008, former approval No. B-389, man-

ufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/199/0, 12" x 40" x 2" rectangular buoyant cushion, 43 oz. kapok, Dwg. Nos. C-232 and A-177, dated 21 April 1947, U. S. C. G. Specification 160.008, former approval No. B-390, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/200/0, 12" x 42" x 2" rectangular buoyant cushion, 45 oz. kapok, Dwg. Nos. C-233 and A-178, dated 21 April 1947, U. S. C. G. Specification 160.008, former approval No. B-391, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/201/0, 14" x 46" x 2" rectangular buoyant cushion, 57 oz. kapok, Dwg. Nos. C-234 and A-179, dated 21 April 1947, U. S. C. G. Specification 160.008, former approval No. B-392, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/202/0, 14" x 48" x 2" rectangular buoyant cushion, 60 oz. kapok, Dwg. Nos. C-235 and A-180, dated 21 April 1947, U. S. C. G. Specification 160.008, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/203/0, 14" x 52" x 2" rectangular buoyant cushion, 65 oz. kapok, Dwg. Nos. C-236 and A-181, dated 21 April 1947, U. S. C. G. Specification 160.008, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/204/0, 14" x 54" x 2" rectangular buoyant cushion, 67 oz. kapok, Dwg. Nos. C-237 and A-182, dated 21 April 1947, U. S. C. G. Specification 160.008, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.008/205/0, 12" x 63" x 2" rectangular buoyant cushion, 67 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/206/0, 12" x 65" x 2" rectangular buoyant cushion, 70 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/207/0, 12" x 69" x 2" rectangular buoyant cushion, 74 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/208/0, 12" x 72" x 2" rectangular buoyant cushion, 77 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/209/0, 12" x 75" x 2" rectangular buoyant cushion, 80 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/210/0, 12" x 78" x 2" rectangular buoyant cushion, 83 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/211/0, 12" x 81" x 2" rectangular buoyant cushion, 86 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by

Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/212/0, 15" x 63" x 2" rectangular buoyant cushion, 84 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/213/0, 15" x 66" x 2" rectangular buoyant cushion, 88 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/214/0, 15" x 69" x 2" rectangular buoyant cushion, 92 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/215/0, 15" x 72" x 2" rectangular buoyant cushion, 96 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/216/0, 15" x 75" x 2" rectangular buoyant cushion, 100 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/217/0, 15" x 78" x 2" rectangular buoyant cushion, 104 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/218/0, 15" x 81" x 2" rectangular buoyant cushion, 108 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/219/0, 18" x 63" x 2" rectangular buoyant cushion, 101 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/220/0, 18" x 66" x 2" rectangular buoyant cushion, 106 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/221/0, 18" x 69" x 2" rectangular buoyant cushion, 110 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/222/0, 18" x 72" x 2" rectangular buoyant cushion, 115 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/223/0, 18" x 75" x 2" rectangular buoyant cushion, 120 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.008/224/0, 18" x 78" x 2" rectangular buoyant cushion, 125 oz. kapok, Dwg. No. 4-2-47, U. S. C. G. Specification 160.008, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.





Approval No. 160.008/304/0, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, Dwg. No. 101A dated 16 June 1947, U. S. C. G. Specification 160.008, manufactured by Nappe-Smith Manufacturing Co., Southard Avenue, Farmingdale, N. J.

ADDITIONAL AUTHORITY: 54 Stat. 164, 166; 46 U. S. C. 526e, 526p; 46 CFR 25.4-1, 28.4-8.

**BUOYS, LIFE, RING, CORK AND BALSA WOOD**

NOTE: The 20-inch and 24-inch diameter buoys are limited to service on motor-boats only in accordance with 46 CFR 25.4-1.

Approval No. 160.009/1/0, 20-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-50, manufactured by Seaway Manufacturing Co., 213 North Peters Street, New Orleans, La.

Approval No. 160.009/2/0, 20-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-51, manufactured by Seaway Manufacturing Co., 213 North Peters Street, New Orleans, La.

Approval No. 160.009/3/0, 24-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-52, manufactured by Seaway Manufacturing Co., 213 North Peters Street, New Orleans, La.

Approval No. 160.009/4/0, 24-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-53, manufactured by Seaway Manufacturing Co., 213 North Peters Street, New Orleans, La.

Approval No. 160.009/5/0, 30-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval Nos. B-58 and B-175, manufactured by Seaway Manufacturing Co., 213 North Peters Street, New Orleans, La.

Approval No. 160.009/6/0, 20-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-61, manufactured by Wilber & Son, 217 New Montgomery Street, San Francisco, Calif.

Approval No. 160.009/7/0, 20-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-62, manufactured by Wilber & Son, 217 New Montgomery Street, San Francisco, Calif.

Approval No. 160.009/8/0, 24-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-63, manufactured by Wilber & Son, 217 New Montgomery Street, San Francisco, Calif.

Approval No. 160.009/9/0, 24-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-64, manufactured by Wilber & Son, 217 New Montgomery Street, San Francisco, Calif.

Approval No. 160.009/10/0, 30-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. B-224, manufactured by Wilber & Son, 217 New Montgomery Street, San Francisco, Calif.

Approval No. 160.009/11/0, 20-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-72, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.009/12/0, 20-inch Balsa Wood Ring Life Buoy, U. S. C. G.

Specification 160.009, former Approval No. A-73, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.009/13/0, 24-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-74, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.009/14/0, 30-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-75, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.009/15/0, 30-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. B-174 and B-179, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.009/16/0, 30-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. B-178 and B-180, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y.

Approval No. 160.009/17/0, 20-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-112, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.009/18/0, 20-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-113, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.009/19/0, 24-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-114, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.009/20/0, 24-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-115, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.009/21/0, 20-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-146, manufactured by Fairfield Textile Works, Suisun, Calif.

Approval No. 160.009/22/0, 20-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-147, manufactured by Fairfield Textile Works, Suisun, Calif.

Approval No. 160.009/23/0, 24-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-148, manufactured by Fairfield Textile Works, Suisun, Calif.

Approval No. 160.009/24/0, 24-inch Balsa Wood Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-149, manufactured by Fairfield Textile Works, Suisun, Calif.

Approval No. 160.009/25/0, 20-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-224, manufactured by Dodge Cork Co., Inc., Lancaster, Pa.

Approval No. 160.009/26/0, 24-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-225, manufactured by Dodge Cork Co., Inc., Lancaster, Pa.

Approval No. 160.009/27/0, 30-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval Nos. B-

172 and B-173, manufactured by Dodge Cork Co., Inc., Lancaster, Pa.

Approval No. 160.009/28/0, 20-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-322, manufactured by Kent Marine Products Corp., 428 Great East Neck Road, West Babylon, N. Y.

Approval No. 160.009/29/0, 24-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval No. A-323, manufactured by Kent Marine Products Corp., 428 Great East Neck Road, West Babylon, N. Y.

Approval No. 160.009/30/0, 30-inch Cork Ring Life Buoy, U. S. C. G. Specification 160.009, former Approval Nos. B-197 and B-209, manufactured by Kent Marine Products Corp., 428 Great East Neck Road, West Babylon, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 526e, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.4-1, 37.8-2, 50.56, 60.49, 76.53, 94.53, 113.46.

**BUOYANT APPARATUS**

Approval No. 160.010/1/0, Buoyant apparatus, solid balsa wood, 10 person capacity, Drawing No. 10 dated 12 December 1935, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.010/2/0, Buoyant apparatus, solid balsa wood, 20 person capacity, Drawing No. 20, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.010/3/0, Buoyant apparatus, pine decking with copper tanks, 18 percent capacity, Drawing No. G-305 dated 27 November 1935, C. C. Galbraith & Son, 99 Park Place, New York, N. Y.

Approval No. 160.010/4/0, Buoyant apparatus, solid balsa wood, 12 person capacity, Drawing No. 12, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.010/5/0, Buoyant apparatus, solid balsa wood, 6 person capacity, Drawing No. 6 dated 25 February 1937, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.010/6/0, Buoyant apparatus, solid balsa wood, 8 person capacity, Drawing No. 8 dated 25 February 1937, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.010/7/0, Buoyant apparatus, pine decking with copper tanks, 5 person capacity, Drawing No. G-129 dated 20 January 1937, C. C. Galbraith & Son, 99 Park Place, New York 7, N. Y.

Approval No. 160.010/8/0, Buoyant apparatus, pine decking with copper tanks, 11 person capacity, Drawing No. G-129 dated 20 January 1937, C. C. Galbraith & Son, 99 Park Place, New York 7, N. Y.

Approval No. 160.010/9/0, Buoyant apparatus, spruce with copper tanks, 15 person capacity, Drawing No. 1778 dated 25 August 1939, Weilin Davit & Boat Division of The Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.010/10/0, Buoyant apparatus, solid balsa wood, 20 person capacity, Drawing No. 1519 dated 31 October 1935, Weilin Davit & Boat Divi-

## NOTICES

sion of The Robinson Foundation, Perth Amboy, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 1333, 50 U. S. C. 1275; 46 CFR 37.1-1, 59.54a, 60.47a, 76.51a.

## GAS MASKS AND OTHER BREATHING APPARATUS

Approval No. 160.011/1/0, MSA one-man combination fresh air hose mask, Bureau of Mines Approval No. BM-1905A consisting of Face Piece BM-1905A, Blower BM-1905A, Hose BM-1901, Harness BM-1901, hose length 50 feet, MSA Assembly Drawing No. A-1129-1 revised 27 December 1940, Mine Safety Appliances Co., Braddock, Thomas and Meade Streets, Pittsburgh 8, Pa.

Approval No. 160.011/2/0, MSA two-man combination fresh air hose mask, Bureau of Mines Approval No. BM-1905A consisting of Face Piece BM-1905A, Hose BM-1901, Blower BM-1905A, Harness BM-1901, hose length 100 feet, MSA Assembly Drawing No. A-1129-1 revised 27 December 1940, Mine Safety Appliances Co., Braddock, Thomas and Meade Streets, Pittsburgh 8, Pa.

Approval No. 160.011/3/0, Davis Type BLS fresh air hose mask No. 4066N, Bureau of Mines Approval No. BM-1906 consisting of Face Piece BM-1902, Harness BM-1902 with Hose BM-1902 or Harness BM-1902A with Hose BM-1902A, hose in 25-foot lengths with total length not to exceed 150 feet, Davis Emergency Equipment Co., 45 Halleck Street, Newark, N. J.

Approval No. 160.011/4/0, MSA one-hour oxygen breathing apparatus, Face Piece Type, complete in case, MSA Assembly Drawing No. A-1083 revised 24 March 1942, Mine Safety Appliances Co., Braddock, Thomas, and Meade Streets, Pittsburgh 8, Pa.

Approval No. 160.011/5/0, Fresh air hose mask No. 1905A, Bureau of Mines Approval No. BM-1905A consisting of Face Piece BM-1905A, Blower BM-1905A, Hose BM-1901, Harness BM-1901, Drawing No. 4M2185, Maximum of two hose lines each originating at the blower and not exceeding 150 feet in length, American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 160.011/6/0, Bullard fresh air hose mask No. 1903, Bureau of Mines Approval No. BM-1903 consisting of Face Piece BM-1903, Blower BM-1903, Harness BM-1903, Hose BM-1903, 1903A, maximum of two hose lines each originating at the blower and not exceeding 150 feet in length, E. D. Bullard Co., San Francisco, Calif.

Approval No. 160.011/7/0, Ammonia gas mask No. 4, Bureau of Mines Approval No. BM-1420 consisting of Canister BM-1420, Canister Harness BM-1418 with Head Harness BM-1418 or Canister Harness BM-1418A with Head Harness BM-1418A, Acme Protection Equipment Co., 3616 Liberty Avenue, Pittsburgh 1, Pa.

Approval No. 160.011/8/0, Acme supplied-air respirator, fresh air hose mask and assembly, Bureau of Mines Approval No. BM-1910 consisting of Face Piece BM-1910 with Head Harness BM-1910 or Face Piece BM-1910A with Head Harness BM-1910A, Body Harness BM-1910,

Hose BM-1910, Blower BM-1910 and Container BM-1910, maximum of two hose lines each originating at the blower and not exceeding 150 feet in length, Acme Protection Equipment Co., 3616 Liberty Avenue, Pittsburgh 1, Pa.

Approval No. 160.011/9/0, Davis Type BLS fresh air hose mask and assembly, Face Piece Model 1940, Bureau of Mines Approval No. BM-1906 consisting of Face Piece BM-1408F, Hose BM-1902A, Pump BM-1906, Neoprene covered hose in 25-foot lengths with total length not to exceed 150 feet, Davis Emergency Equipment Co., 45 Halleck Street, Newark, N. J.

Approval No. 160.011/10/0, Ammonia gas mask No. BM-1429, Bureau of Mines Approval No. BM-1429 consisting of Canister BM-1429, Face Piece BM-1419, Canister Harness BM-1419, E. D. Bullard Co., San Francisco, Calif.

Approval No. 160.011/11/0, Ammonia gas mask No. BM-1408, Bureau of Mines Approval No. BM-1408 consisting of Canister BM-1408, Face Piece BM-1408F, Canister Harness BM-1408, Davis Emergency Equipment Co., 45 Halleck Street, Newark, N. J.

Approval No. 160.011/12/0, MSA ammonia mask with all-vision facepiece Bureau of Mines Approval No. BM-1406 consisting of Canister BM-1406, Face Piece BM-1403 or BM-1403E, Harness BM-1403, MSA Assembly Drawing No. A-1128-1 revised 18 March 1946, Mine Safety Appliances Co., Braddock, Thomas and Meade Streets, Pittsburgh 8, Pa.

Approval No. 160.011/13/0, Protexall gas mask assembly with two canisters and full-view face piece, Bureau of Mines Approval No. BM-1434 consisting of Canister BM-1434, Face Piece BM-1403, BM-1403E, BM-1901, BM-1901E, Canister Harness BM-1403, BM-1409, American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 160.011/14/0, Ammonia gas mask with Type DA Canister, Bureau of Mines Approval No. BM-1401 consisting of Canister BM-1401C, Face Piece BM-1401, BM-1403, BM-1403E, Canister Harness BM-1401, American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 160.011/15/0, MSA Model "S" all-service gas mask with all-vision face piece and tube, Bureau of Mines Approval No. BM-1434 consisting of Canister BM-1434, Timer BM-1403, Harness BM-1403 or BM-1409, Face Piece BM-1403, BM-1403E, BM-1901, BM-1901E, or BM-1905A, MSA Assembly Drawing No. A-1128-1 revised 18 March 1946, Mine Safety Appliances Co., Braddock, Thomas, and Meade Streets, Pittsburgh 8, Pa.

Approval No. 160.011/16/0, Acme Type FD all-purpose gas mask, Bureau of Mines Approval No. BM-1436, consisting of Canister BM-1436, Timer BM-1435, Canister Harness BM-1435, Face Piece BM-1418 with Head Harness BM-1418 or Face Piece BM-1418A with Head Harness BM-1418A, Acme Protection Equipment Co., 3616 Liberty Avenue, Pittsburgh 1, Pa.

Approval No. 160.011/17/0, McCaa two-hour oxygen breathing apparatus, Bureau of Mines Approval No. BM-1303, MSA General Assembly Drawing No.

A990-1 Revision 3 dated 11 August 1939, Drawing No. A990-2 dated 15 September 1931, Mine Safety Appliances Co., Braddock, Thomas, and Meade Streets, Pittsburgh 1, Pa.

Approval No. 160.011/18/0, MSA standard all-service gas mask with all-vision face piece and tube, Bureau of Mines Approval No. BM-1405 consisting of Canister BM-1405, Timer BM-1403, Harness BM-1403, or BM-1409, Face Piece BM-1403, BM-1403E, BM-1901, BM-1901E or BM-1905A, MSA Assembly Drawing No. A-1128-1 revised 18 March 1946, Mine Safety Appliances Co., Braddock, Thomas, and Meade Streets, Pittsburgh 8, Pa.

Approval No. 160.011/19/0, Chemox 45-minute oxygen breathing apparatus, Bureau of Mines Approval No. 13M-1307, MSA general assembly Dwgs. No. A1212-1 and No. A1212-2, dated 28 November 1945, revised 27 December 1946 and 2 December 1946, respectively, Mine Safety Appliances Co., Braddock, Thomas, and Meade Streets, Pittsburgh 8, Pa.

Approval No. 160.011/20/0, Multi-gas Universal Gas Mask, Bureau of Mines approval No. BM-1439, consisting of canister BM-1439, timer BM-1432, harness BM-1439, facepiece BM-1419, Dwg. No. 72-1, dated 9 February 1947, E. D. Bullard Co., 275 Eighth Street, San Francisco, Calif.

Approval No. 160.019/21/0, Smoke-eater Universal Gas mask, Bureau of Mines approval No. BM-1440, consisting of canister BM-1440, timer BM-1432, harness BM-1439, facepiece BM-1419, Dwg. No. 72-1, dated 9 February 1947, E. D. Bullard Co., 275 Eighth Street, San Francisco, Calif.

Approval No. 160.011/22/0, Type WUG-N1 Universal Gas mask, Bureau of Mines, approval No. BM-1432, consisting of canister BM-1432, timer BM-1432, Harness BM-1432, facepiece BM-1423, Willson catalog P. 35, dated 15 April 1943, Willson Products, Inc., Reading, Pa.

Approval No. 160.011/23/0, Type WUG-N2, Universal gas mask, Bureau of Mines approval No. BM-1433, consisting of canister BM-1433, timer BM-1432, harness BM-1432, facepiece BM-1423, Willson catalog P. 35, dated 15 April 1943, Willson Products Inc., Reading, Pa.

Approval No. 160.011/24/0, Type WIG-C1 Ammonia gas mask, Bureau of Mines approval No. BM-1425, consisting of canister BM-1425, facepiece BM-1423, canister harness BM-1423, Willson Catalog P. 36, dated 15 April 1943, Willson Products, Inc., Reading, Pa.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1544, 54 Stat. 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 463a, 50 U. S. C. 1275; 46 CFR 35.4-5, 61.18, 77.18, 95.17, 114.18.

## WATER LIGHTS (SELF IGNITING, CALCIUM CARBIDE TYPE)

Approval No. 160.012/1/0, Res-Q-Lite, Self-igniting water light, calcium carbide type, manufactured by Coston Supply Co., 31 Water Street, New York 4, N. Y.

Approval No. 160.012/2/0, Galbraith Light, Self-igniting water light, calcium carbide type, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.012/3/0, Save-U-Lite, Self-igniting water light, calcium carbide type, manufactured by Automatic Lite Co., 2126 Edmonson Avenue, Baltimore, Md.

ADDITIONAL AUTHORITY: R. S. 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 59.57, 76.54, 94.54, 113.42a.

#### HATCHETS, LIFEBOAT AND LIFE RAFT

Approval No. 160.013/1/0, No. 0 size hatchets, Hunters Ax, Drawing No. SK 2031 dated 25 September 1944 and U. S. C. G. Specification dated 24 August 1944, manufactured by Collins Co., Collinsville, Conn.

Approval No. 160.013/2/0, No. 0 size hatchet, True American, Drawing dated 6 November 1944 and U. S. C. G. Specification dated 24 August 1944, manufactured by Mann Edge Tool Co., Lewistown, Pa.

Approval No. 160.013/3/0, No. 0 size hatchet, No. 425 Bridgeport Belt Ax, Drawing No. D-674 dated 15 February 1945 and U. S. C. G. Specification dated 24 August 1944, manufactured by Bridgeport Hardware Manufacturing Co., Bridgeport 5, Conn.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 33.3-2, 59.11, 76.14, 76.14a, 94.13, 113.22.

#### COMPASSES, LIFEBOAT

Approval No. 160.014/1/0, Type LMC-101D, compensating mariners liquid filled magnetic lifeboat compass with mounting, Assembly Drawing No. D-1 dated 18 July 1945, manufactured by John E. Hand & Sons Co., Third and Chestnut Streets, Philadelphia, Pa.

Approval No. 160.014/2/0, Model 2, compensating mariners liquid filled magnetic lifeboat compass with mounting, Assembly Drawing No. AA dated 25 September 1945, manufactured by W. M. Welch Manufacturing Co., 1515 Sedgewick Street, Chicago, Ill.

Approval No. 160.014/3/0, Model 1, compensating mariners liquid filled magnetic lifeboat compass with mounting, Assembly Drawing No. C-113-5-C Revised 2 January 1946, manufactured by Stellar Products, Inc., 71 Murray Street, New York 7, N. Y.

Approval No. 160.014/4/0, Model 2, compensating mariners liquid filled magnetic lifeboat compass with mounting, Assembly Drawing No. C-113-5-C Revised 2 January 1946, manufactured by Stellar Products, Inc., 71 Murray Street, New York 7, N. Y.

Approval No. 160.014/5/0, Model 1A, compensating mariners liquid filled magnetic lifeboat compass with mounting, Assembly Drawing No. G-112-7 dated 24 October 1946, manufactured by Stellar Products, Inc., 71 Murray Street, New York 7, N. Y.

Approval No. 160.014/6/0, Model 2A, compensating mariners liquid filled magnetic lifeboat compass with mounting, Assembly Drawing No. G-112-7 dated 24 October 1946, manufactured by Stellar Products, Inc., 71 Murray Street, New York 7, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 59.11.

#### WINCHES, LIFEBOAT

Approval No. 160.015/1/0, Type G, size No. 1, lifeboat winch, approved for maximum working load of 8,600 pounds pull at the drums (4,300 pounds per fall), identified by General Arrangement Dwg. No. 1150 dated 21 June 1942, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.015/2/0, Type GH-6 lifeboat winch for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{2}$  inch in diameter and with not more than 7 wraps of the falls on the drums, approved for maximum working load of 4,740 pounds pull at the drums (2,370 pounds per fall), identified by General Arrangement Dwg. No. 7243-D dated 5 August 1940, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.015/3/0, Type BSH-10 lifeboat winch, approved for maximum working load of 16,000 pounds pull at the drums (8,000 pounds per fall), identified by General Arrangement Dwg. No. 1172-D dated 8 March 1944 and revised 24 October 1944, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.015/4/0, Type WH-10 lifeboat winch for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{2}$  inch in diameter and with not more than 6 wraps of the falls on the drums, approved for maximum working load of 4,400 pounds pull at the drums (2,200 pounds per fall), identified by General Arrangement Dwg. No. 3402 dated 10 August 1944 and revised 2 September 1944, manufactured by Modern Boat & Engineering Co., 30 North La Salle Street, Chicago, Ill.

Approval No. 160.015/8/0, Type S. E. W.-19 lifeboat winch, approved for maximum working load of 8,000 pounds pull at the drums (4,000 pounds per fall), identified by General Arrangement Dwg. No. B. A. 240 dated 11 December 1941, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.015/9/0, Type S. E. W.-27 lifeboat winch, approved for maximum working load of 13,500 pounds pull at the drums (6,750 pounds per fall), identified by General Arrangement Dwg. No. A. A. 129 dated 26 April 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.015/10/0, Type H. W.-10.5 lifeboat winch for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{2}$  inch in diameter and with not more than 2 wraps of the falls on the drums, approved for maximum working load of 3,500 pounds pull at the drums (1,750 pounds per fall), identified by General Arrangement Dwg. No. B. A. 419 dated 24 January 1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.015/11/0, Type W. H. 3402 lifeboat winch, approved for maximum working load of 17,600 pounds pull at the drums (8,800 pounds per fall), identified by General Arrangement Dwg. No. 3402 dated 10 August 1944 and revised 2 September 1944, manufactured by Modern Boat & Engineering Co., 30 North La Salle Street, Chicago, Ill.

Approval No. 160.015/12/0, Type W. H. 3407 lifeboat winch, approved for maximum working load of 7,000 pounds direct pull at the drums (3,500 pounds per fall), identified by General Arrangement Dwg. No. 3407 dated 11 January 1945, manufactured by Modern Boat & Engineering Co., 30 North La Salle Street, Chicago, Ill.

Approval No. 160.015/13/0, Type DM lifeboat winch for use with mechanical davits, fitted with wire rope not greater than  $\frac{3}{8}$  inch in diameter and with not more than 4 wraps of the falls on the drums, approved for maximum working load of 3,840 pounds pull at the drums (1,920 pounds per fall), identified by General Arrangement Dwg. Nos. 1201 RT-183 and 1202 RT-183 dated 27 July 1942, manufactured by Frank Morrison & Son Co., 1330 West Eleventh Street, Cleveland, Ohio.

Approval No. 160.015/14/0, Type "New England" lifeboat winch for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{2}$  inch in diameter and with not more than 9 wraps of the falls on the drums, approved for maximum working load of 5,000 pounds pull at the drums (2,500 pounds per fall), identified by General Arrangement Dwg. No. R-2496-A dated 24 September 1943 and Dwg. No. R-2497-A dated 27 September 1943, manufactured by New England Trawler Equipment Co., Eastern Avenue, Chelsea 50, Mass.

Approval No. 160.015/15/0, Type H68 lifeboat winch, formerly type HC, for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{2}$  inch in diameter and with not more than 4 wraps of the falls on the drums, approved for maximum working load of 10,000 pounds pull at the drums (5,000 pounds per fall), identified by General Arrangement Dwg. No. 1203 RT-183 dated 27 July 1942, manufactured by Frank Morrison & Son Co., 1330 West Eleventh Street, Cleveland, Ohio.

## NOTICES

ter and with not more than 7 wraps of the falls on the drums, approved for maximum working load of 6,800 pounds pull at the drums (3,400 pounds per fall), identified by General Arrangement Dwg. No. 2564 dated 29 March 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/16/0, Type H68N lifeboat winch, formerly type HC-N, for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{2}$  inch in diameter and with not more than 7 wraps of the falls on the drums, approved for maximum working load of 6,800 pounds pull at the drums (3,400 pounds per fall), identified by General Arrangement Dwg. No. 2564-13 dated 23 March 1943 and revised 22 July 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/17/0, Type H68S lifeboat winch, formerly type HSX, for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{2}$  inch in diameter and with not more than 5 wraps of the falls on the drums, approved for maximum working load of 6,800 pounds pull at the drums (3,400 pounds per fall), identified by General Arrangement Dwg. No. HSX-1 dated 10 July 1940, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/18/0, Type H68SN lifeboat winch, formerly type HSN, for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{2}$  inch in diameter and with not more than 5 wraps of the falls on the drums, approved for maximum working load of 6,800 pounds pull at the drums (3,400 pounds per fall), identified by General Arrangement Dwg. No. HSX-1 dated 10 July 1940, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/19/0, Type D68 lifeboat winch, formerly type HD, for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{2}$  inch in diameter and with not more than 6 wraps of the falls on the drums, approved for maximum working load of 6,800 pounds pull at the drums (3,400 pounds per fall), identified by General Arrangement Dwg. No. 3087 dated 11 March 1946 and revised 26 April 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/20/0, Type C70 lifeboat winch, formerly type CWB, single drum, for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{16}$  inch in diameter and with not more than 3 wraps of the falls on the drums, approved for maximum working load of 6,970 pounds pull at the drums (3,485 pounds per fall), identified by General Arrangement Dwg. No. 2118 dated 5 December 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/21/0, Type C70N lifeboat winch, formerly type CWB-N, for use with mechanical davits, fitted with wire rope not greater than  $\frac{1}{16}$  inch in diameter and with not more than 3

wraps of the falls on the drums, approved for maximum working load of 6,970 pounds pull at the drums (3,485 pounds per fall), identified by General Arrangement Dwg. No. 2676-6 dated 19 August 1943 and revised 10 January 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/22/0, Type B110 lifeboat winch, formerly type CWB double drum, approved for maximum working load of 11,000 pounds pull at the drums (5,500 pounds per fall) identified by General Arrangement Dwg. No. 2105 dated 12 November 1941 and revised 27 November 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/23/0, Type B135 lifeboat winch, formerly type CWB-6, approved for maximum working load of 13,500 pounds pull at the drums (6,750 pounds per fall), identified by General Arrangement Dwg. No. 2105 dated 12 November 1941 and revised 2 March 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/24/0, Type B135N lifeboat winch, formerly type CWB-6N, approved for maximum working load of 13,500 pounds pull at the drums (6,750 pounds per fall), identified by General Arrangement Dwg. No. 2676-2 dated 11 August 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/25/0, Type V65 lifeboat winch, formerly type CV, approved for maximum working load of 6,500 pounds pull at the drums (3,250 pounds per fall), identified by General Arrangement Dwg. No. 2651 dated 28 June 1943 and revised 22 October 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/26/0, Type B172 lifeboat winch, formerly type BWB, approved for maximum working load of 17,200 pounds pull at the drums (8,600 pounds per fall), identified by General Arrangement Dwg. No. 2114 dated 1 December 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/27/0, Type B172N lifeboat winch, formerly type BWB with quick return gear, approved for maximum working load of 17,200 pounds pull at the drums (8,600 pounds per fall), identified by General Arrangement Dwg. No. 2114 dated 1 December 1941 and revised 17 December 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/28/0, Type B200 lifeboat winch, formerly type BWB-1, approved for maximum working load of 20,000 pounds pull at the drums (10,000 pounds per fall), identified by General Arrangement Dwg. No. 2657 dated 4 June 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/29/0, Type B172H lifeboat winch, formerly type BWB horizontal, approved for maximum working load of 17,200 pounds pull at the

drums (8,600 pounds per fall), identified by General Arrangement Dwg. No. 2477-N dated 15 July 1941 and revised 9 December 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/30/0, Type A150 lifeboat winch, formerly type A, approved for maximum working load of 15,000 pounds pull at the drums (7,500 pounds per fall), identified by General Arrangement Dwg. No. 2917 dated 15 November 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/31/0, Type A200 lifeboat winch, formerly type AH, approved for maximum working load of 20,000 pounds pull at the drums (10,000 pounds per fall), identified by General Arrangement Dwg. No. 2927 dated 22 December 1944 and revised 23 March 1945, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/32/0, Type A150H lifeboat winch, formerly type AHS horizontal, approved for maximum working load of 15,000 pounds pull at the drums (7,500 pounds per fall), identified by General Arrangement Dwg. No. 2990-4 dated 22 December 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/33/0, Type A150V lifeboat winch, formerly type AHS vertical, approved for maximum working load of 15,000 pounds pull at the drums (7,500 pounds per fall), identified by General Arrangement Dwg. No. 3046-1 dated 22 December 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.015/43/0, Type H-40 lifeboat winch for use with mechanical davits; fitted with wire rope not greater than  $\frac{3}{8}$  inch in diameter and with not more than 5 wraps of the falls or the drums; approved for maximum working load of 4,000 pounds at the drums (2,000 pounds per fall) identified by general arrangement Dwg. No. 3054-5, dated 17 April 1946 and revised 30 April 1947, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 37.1-5, 59.3a, 60.21, 76.15a, 94.14a.

## FLAME SAFETY LAMPS

Approval No. 160.016/1/0, American type "1-B", naptha burning, key lock, Flame Safety Lamp, manufactured by American Safety Lamp & Mine Supply Co., Scranton, Pa.

Approval No. 160.016/2/0, Koehler type, naptha burning, key lock, Flame Safety Lamp, manufactured by Koehler Manufacturing Co., Inc., Marlboro, Mass.

Approval No. 160.016/3/0, Wolf type, naptha burning, key lock, Flame Safety Lamp, manufactured by Wolf Safety Lamp Company of America, Inc., 227 Grand Avenue, Brooklyn, N. Y.

ADDITIONAL AUTHORITY: R. S. 4426, 49 Stat. 1544, 54 Stat. 1028, and sec. 5 (e), 55 Stat. 244,

as amended; 46 U. S. C. 367, 391a, 404, 463a, 50 U. S. C. 1275; 46 CFR 61.18, 77.18, 95.17, 114.18.

#### LADDERS, EMBARKATION-DEBARKATION

Approval No. 160.017/1/0, Type 8PL embarkation-debarkation ladder, chain suspension, wood ears, Drawing No. 8PL, dated 18 June 1943, manufactured by H. K. Metal Craft Manufacturing Co., 3775-3789 10th Avenue at 203d Street, New York 34, N. Y.

Approval No. 160.017/2/0, Embarkation-debarkation ladder, chain suspension, wood ears, Drawing No. 407, dated 17 July 1943, manufactured by Kent Marine Products Co., 426 Great East Neck Road, West Babylon, N. Y.

Approval No. 160.017/3/0, Model 141 embarkation-debarkation ladder, chain suspension, wood ears, Drawing No. 141, dated 21 July 1943, manufactured by American Chain Ladder Co., Inc., 151 East 50th Street, New York 22, N. Y.

Approval No. 160.017/4/0, Model 241A embarkation-debarkation ladder, chain suspension, galvanized steel ears, Drawing No. 241A, revised 7 September 1943, manufactured by American Chain Ladder Co., 151 East 50th St., New York 22, N. Y.

Approval No. 160.017/5/0, Model 241B embarkation-debarkation ladder, chain suspension, aluminum ears, Drawing No. 241B, dated 30 March 1944, manufactured by American Chain Ladder Co., 151 East 50th St., New York 22, N. Y.

Approval No. 160.017/6/0, Type 8PL-A embarkation-debarkation ladder, chain suspension, aluminum ears, Drawing No. 8PL-A, dated 5 June 1946, manufactured by H. K. Metal Craft Manufacturing Co., 3775-3789 10th Avenue at 203d St., New York 34, N. Y.

Approval No. 160.017/7/0, Viking Type B-2, embarkation-debarkation ladder, wire rope suspension, wood ears, W. C. Nickum and Sons Drawing No. 561-S1604-30, dated 8 April 1947, manufactured by Viking Marine Co., 253 Colman Building, Seattle, Wash.

ADDITIONAL AUTHORITY: R. S. 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 59.63, 76.56a, 94.55a, 113.47a.

#### LIFE RAFTS (CATAMARAN TYPE)

Approval No. 160.018/1/0, 9.67' x 8.67' x 3.42' life rafts, 18-person capacity, identified by General Arrangement Dwg. No. G-281, dated 12 January 1942 and revised 15 December 1942, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.018/2/0, 11.92' x 8.67' x 3.42' life raft, 20-person capacity, identified by General Arrangement Dwg. No. G-309 dated 3 March 1943 and revised 22 April 1943, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.018/3/0, 10.63' x 7.54' x 3.31' life raft, 17-person capacity, identified by General Arrangement Dwg. No. 47-CREV dated 3 January 1942, manufactured by Geo. W. Kneass Co., Eighteenth and Illinois Streets, San Francisco, Calif.

Approval No. 160.018/4/0, 11.04' x 8.58' x 3.17' life raft, 18-person capacity, iden-

tified by General Arrangement Dwg. No. S-18 revised 16 March 1942, manufactured by Frank Morrison & Son Co., 1330 West Eleventh Street, Cleveland, Ohio.

Approval No. 160.018/5/0, 10.37' x 7.83' x 3.00' life raft, 15-person capacity, identified by General Arrangement Dwg. No. R-15 revised 12 February 1942, manufactured by Frank Morrison & Son Co., 1330 West Eleventh Street, Cleveland, Ohio.

Approval No. 160.018/6/0, 9.46' x 8.69' x 3.54' life raft, 18-person capacity, identified by General Arrangement Dwg. No. 154-A dated 10 February 1942, manufactured by Lane Lifeboat and Davit Corporation, foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.018/7/0, 10.04' x 8.23' x 3.87' life raft, 18-person capacity, identified by General Arrangement Dwg. No. 153-A dated 13 February 1942, manufactured by Lane Lifeboat and Davit Corporation, foot of 40th Road and Flushing River, Flushing, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 37.1-1, 59.42, 76.32, 94.32, 113.29.

#### SEA ANCHORS

Approval No. 160.019/1/0, Type A Sea Anchor, U. S. C. G. Drawing No. MMI-562 and Specification, dated 1 November 1943, revised 24 August 1944, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.019/2/0, Type 9 Sea Anchor, U. S. C. G. Drawing No. MMI-562 and Specification dated 1 November 1943, revised 24 August 1944, manufactured by Bowman-Durham-Robbins, Inc., 607 Bergen Street, Brooklyn, N. Y.

Approval No. 160.019/3/0, Type BB 1 Sea Anchor, U. S. C. G. Drawing No. MMI-562 and Specification dated 1 November 1943, revised 24 August 1944, manufactured by Bogardus Bros., 20 Mechanic Street, New Rochelle, N. Y.

Approval No. 160.019/4/0, Type Seaway Sea Anchor, U. S. C. G. Drawing No. MMI-562 and Specification dated 1 November 1943, revised 24 August 1944, manufactured by Seaway Manufacturing Co., 511 North Solomon Street, New Orleans, La.

Approval No. 160.019/5/0, Type N-1 Sea Anchor, U. S. C. G. Drawing No. MMI-562 and Specification dated 1 November 1943, revised 24 August 1944, manufactured by Neptune Accessories, 190 Columbia Heights, Brooklyn 2, N. Y.

Approval No. 160.019/6/0, Type 2-A Sea Anchor, U. S. C. G. Drawing No. MMI-562 and Specification, dated 1 November 1943, revised 24 August 1944, manufactured by Eveready Canvas Corp., 20 Fulton Street, New York, N. Y.

Approval No. 160.019/7/0, Type T Sea Anchor, U. S. C. G. Drawing No. MMI-562 and Specification, dated 1 November 1943, revised 24 August 1944, manufactured by Kent Marine Products Corp., 426 Great East Neck Road, West Babylon, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 33.3-2, 59.11, 76.14.

#### MIRRORS, EMERGENCY SIGNALING

Approval No. 160.020/1/0, No. ESM/1, emergency signaling mirror, Drawing No. 165-22-E-365GE, dated 1 March 1943, manufactured by General Electric Co., Trumbull Lamp Works, 1313 West Market Street, Warren, Ohio.

Approval No. 160.020/2/0, Type SMC, emergency signaling mirror, manufactured by Safety Mirror Co., 69 Bank Street, New York, N. Y.

Approval No. 160.020/3/0, Scotchlite Type, Size 20, emergency signaling mirror, Drawing No. 165-22-E-388GE, dated 27 September 1945, manufactured by General Electric Co., Trumbull Lamp Works, 1313 West Market Street, Warren, Ohio.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346 and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 59.11a.

#### SIGNALS, DISTRESS, FLARE CARTRIDGE, RED, PARACHUTE

Approval No. 160.024/1/0, Aluminum shell type 20 parachute flare cartridge, Drawing No. MSP-1C dated 25 June 1936, manufactured by Coston Supply Co., 31 Water Street, New York 4, N. Y.

Approval No. 160.024/2/0, Aluminum shell type 52 parachute flare cartridge, Drawing No. MS-11 Revised 11 January 1944, manufactured by The Kilgore Manufacturing Co., International Flare Signal Division, Westerville, Ohio.

Approval No. 160.024/3/0, Aluminum shell parachute flare cartridge, Drawing Marine No. 3, manufactured by Hitt Fireworks Co., 5234 37th Avenue South, Seattle, Wash.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 33.3-2, 59.11, 76.14.

#### NOZZLES, WATER SPRAY (FIXED TYPE)

Approval No. 160.025/1/0, Akr-O-Mist, No. 1250 1 1/2" fixed type, Water Spray Nozzle, Drawing No. 26 dated 4 February 1938, manufactured by Akron Brass Manufacturing Co., Wooster, Ohio.

Approval No. 160.025/2/0, Marine ALFCO, Model 4M 1 1/2" fixed type, Water Spray Nozzle, Drawing No. 3M-1305 revised 14 January 1938, manufactured by American-La France Foamite Corp., Elmira, N. Y.

Approval No. 160.025/3/0, Fognoz, Type 3A, marine tip 1 1/2" fixed type, Water Spray Nozzle, Drawing No. P-1946-6-024 dated 26 June 1946, manufactured by Fog Nozzle Co., 1520 East Slauson Avenue, Los Angeles, Calif.

Approval No. 160.025/4/0, Fognoz, Type B, marine applicator 1 1/2" fixed type, Water Spray Nozzle, Drawing No. P-1946-6-021, dated 25 June 1946, manufactured by Fog Nozzle Co., 1520 East Slauson Avenue, Los Angeles, Calif.

Approval No. 160.025/5/0, Sprayco, 6610 Fire Fog, 1 1/2" fixed type, Water Spray Nozzle, Drawing No. KN-3646 dated 3 February 1938, manufactured by Spray Engineering Co., 114 Central Street, Somerville, Mass.

Approval No. 160.025/6/0, Mystery, M-200 1 1/2" fixed type, Water Spray

## NOTICES

Nozzle, Drawing dated 9 April 1938, manufactured by Elkhart Brass Manufacturing Co., 1302 West Beardsley Avenue, Elkhart, Ind.

Approval No. 160.025/7/0, Day Vapor, Model M 1 1/2" fixed type, Water Spray Nozzle, Drawing No. B-1 dated 7 February 1938, manufactured by Joseph L. Day, 671 West Delavan Avenue, Buffalo, N. Y.

Approval No. 160.025/8/0, Grinnel, Model B 1 1/2" fixed type, Water Spray Nozzle, Drawing No. 13215-A revised 4 September 1941, manufactured by Grinnel Co., Providence, R. I.

Approval No. 160.025/9/0, Rockwood waterfog, Nozzle No. N-21 1 1/2" fixed type, Water Spray Nozzle, Drawing No. S-275 dated 14 April 1942, manufactured by Rockwood Sprinkler Corp., Worcester, Mass.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1544, 54 Stat. 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 463a, 50 U. S. C. 1275; 46 CFR 34.3-11, 61.14.

## CONTAINERS, EMERGENCY PROVISIONS AND WATER

Approval No. 160.026/1/0, Container for emergency provisions, Drawing dated 15 April 1944, Specification dated 3 July 1944, Chemical Service Co., 1117-25 South Howard Street, Baltimore 30, Md.

Approval No. 160.026/2/0, Container for emergency drinking water, Drawing dated 15 April 1944, Specification dated 3 July 1944, Chemical Service Co., 1117-25 South Howard Street, Baltimore 30, Md.

Approval No. 160.026/3/0, Container for emergency provisions, Drawing No. 667, dated 20 July 1943, Specification dated 3 July 1944, Multiple Breaker Co., Garwood, N. J.

Approval No. 160.026/4/0, Container for emergency drinking water, Drawing No. 668 dated 20 July 1943, revised 9 August 1944, Specification dated 3 July 1944, Multiple Breaker Co., Garwood, N. J.

Approval No. 160.026/5/0, Container for emergency provisions, Drawing dated 7 September 1944, Specification dated 12 September 1944, California Ration & Equipment Co., 1960 Carroll Avenue, San Francisco, Calif.

Approval No. 160.026/6/0, Container for emergency drinking water, Drawing dated 7 September 1944, Specification dated 12 September 1944, California Ration & Equipment Co., 1960 Carroll Avenue, San Francisco, Calif.

Approval No. 160.026/7/0, Container for emergency provisions, Drawing No. 15 dated 20 February 1945, Specification dated 3 July 1944, Coston Supply Co., Inc., 31 Water Street, New York 4, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 59.11.

## LIFE FLOATS

Approval No. 160.027/1/0, Elliptical balsa wood life float, 10 person capacity, Drawing No. 6243 dated 2 June 1943, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.027/2/0, Elliptical balsa wood life float, 15 person capacity, Drawing No. 6243 dated 2 June 1943,

Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.027/3/0, Elliptical balsa wood life float, 25 person capacity, Drawing No. 6243 dated 2 June 1943, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.027/4/0, Elliptical balsa wood life float, 40 person capacity, Drawing No. 6243 dated 2 June 1943, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.027/5/0, Rectangular balsa wood life float, 10 person capacity, Drawing No. 11-1-43 dated 1 November 1943, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.027/6/0, Rectangular balsa wood life float, 15 person capacity, Drawing No. 11-1-43 dated 1 November 1943, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.027/7/0, Rectangular balsa wood life float, 25 person capacity, Drawing No. 11-1-43 dated 1 November 1943, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.027/8/0, Rectangular balsa wood life float, 40 person capacity, Drawing No. 11-1-43 dated 1 November 1943, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.027/9/0, Rectangular balsa wood life float, 60 person capacity, Drawing No. 11-1-43 Revision A dated 1 November 1943, Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

Approval No. 160.027/10/0, Elliptical balsa wood life float, 10 person capacity, Drawing No. G-331 Revised 13 December 1943, C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.027/11/0, Elliptical balsa wood life float, 15 person capacity, Drawing No. G-331 Revised 13 December 1943, C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.027/12/0, Elliptical balsa wood life float, 20 person capacity, Drawing No. G-331 Revised 13 December 1943, C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.027/13/0, Elliptical balsa wood life float, 25 person capacity, Drawing No. G-331 Revised 13 December 1943, C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.027/14/0, Elliptical balsa wood life float, 40 person capacity, Drawing No. G-331 Revised 13 December 1943, C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.027/15/0, Elliptical balsa wood life float, 60 person capacity, Drawing No. G-331 Revised 13 December 1943, C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.027/16/0, Rectangular balsa wood life float, 15 person capacity, Drawing No. LFB-15-PS dated 24 July 1942, Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

ADDITIONAL AUTHORITY: R. S. 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e),

55 Stat. 244, as amended; 46 U. S. C. 367, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 59, 54a, 60.47a, 76.51a.

## SIGNAL PISTOLS

Approval No. 160.028/1/0, No. 52 Marine signal pistol, Drawing MSP-1, revised 1 October 1943, manufactured by Kilgore Manufacturing Co., International Flare Signal Division, Westerville, Ohio.

Approval No. 160.028/2/0, Mark IV signal pistol, Drawing 1-CG, revised 24 May, 1943, manufactured by R. F. Sedgley, Inc., J and Ontario Streets, Philadelphia, Pa.

Approval No. 160.028/3/0, V-K Mark 12 signal pistol, Drawing S-100, revised 30 October 1942, manufactured by Van Karner Chemical Arms Co., 202 East 44th Street, New York 17, N. Y.

Approval No. 160.028/4/0, No. 3 signal pistol, Drawing M-101, dated March 1943, manufactured by Columbia Appliance Corp., 8 43d Road, Long Island City 1, N. Y.

Approval No. 160.028/5/0, Mark IV signal pistol, Drawing No. B-4-3318, dated 16 September 1944, manufactured by Harrington & Richardson Arms Co., Worcester, Mass.

Approval No. 160.028/6/0, Sklar signal pistol, Drawing No. Z-100A, dated 26 August 1944, manufactured by Sklar Signal Pistol Company, 1017 Market Street, San Francisco, Calif.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 33.3-2, 59.11, 76.14.

## LINE THROWING APPLIANCES (LYLE GUN TYPE)

Approval No. 160.029/1/0, Model F, bronze line-throwing gun, mounted type, Drawing No. M-100-3, dated 6 August 1942, manufactured by The Naval Co., Old Eastern Highway, Doylestown, Pa.

Approval No. 160.029/2/0, Bronze line-throwing gun, mounted type, Drawings 263, 1071, and A-243, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.029/3/0, Steel line-throwing gun, mounted type, Drawings 263, 1063, and 1070, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.029/4/0, Steel line-throwing gun, mounted type, Drawing No. D-1374-GD, Alt. C., dated 24 April 1942, manufactured by Heat Transfer Products, Inc., 90 West Street, New York, N. Y.

Approval No. 160.029/5/0, Type B, bronze line-throwing gun, mounted type, Drawing No. DP1814-AS, revision A, dated 1 July 1943, manufactured by Heat Transfer Products, Inc., 90 West Street, New York, N. Y.

Approval No. 160.029/6/0, Model F-B, bronze line-throwing gun, mounted type, Drawing No. M-108-B dated 27 April 1944, manufactured by The Naval Co., Old Eastern Highway, Doylestown, Pa.

Approval No. 160.029/7/0, line-throwing gun, mounted type, Drawing No. A-230A, dated 5 December 1943, manufactured by Kent Marine Products Corp., West Babylon, New York.

Approval No. 160.029/8/0, Model S, steel line-throwing gun, mounted type, Drawing No. DS-256, dated 6 January 1944, manufactured by Heat Transfer Products, Inc., 90 West Street, New York, N. Y.

Approval No. 160.029/9/0, Model B, short barrel line-throwing gun, mounted type, Drawing No. DS-257, dated 9 January 1944, manufactured by Heat Transfer Products, Inc., 90 West Street, New York, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 37.10-1, 59.61.

FIRING ATTACHMENT FOR LYLE GUN TYPE LINE THROWING APPLIANCES

Approval No. 160.030/1/0, Model VK-M20 firing attachment for line-throwing gun, Drawing VK-M-20, dated 12 September 1945, manufactured by Van Karner Chemical Arms Corporation, Port Jervis, N. Y.

Approval No. 160.030/2/0, Model F-100-A firing attachment for line-throwing gun, Drawing F-100-A, dated 30 September 1945, manufactured by The Naval Co., 3419 Richmond Street, Doyles-town, Pa.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 37.10-1, 59.61.

LINE-THROWING APPLIANCES (SHOULDER GUN TYPE)

Approval No. 160.031/1/0, Model 66, 45/70 caliber line-throwing gun, shoulder type, Drawing No. D-000, dated 29 June 1943, manufactured by Harrington & Richardson Arms Co., Worcester, Mass.

Approval No. 160.031/2/0, Bridger, 45/70 caliber line-throwing gun, shoulder type, Drawing No. H-102, dated 26 September 1945, manufactured by Harrington & Richardson Arms Co., Worcester, Mass.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 38.9-3, 59.61.

DAVITS, LIFEBOAT

Approval No. 160.032/1/0, Mechanical Davit, straight boom sheath screw, size A-7-0. Approved for maximum working load of 13,600 pounds per set (6,800 pounds per arm) using not less than 3 part falls, identified by General Arrangement Dwg. No. 599-S8200-3 dated 6 April 1945 and revised 18 February 1946, manufactured by Consolidated Services & Supply Co., 71 Columbia Street, Seattle 4, Wash.

Approval No. 160.032/2/0, Gravity Davit, size 2866, approved for maximum working load of 17,200 pounds per set (8,600 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. 1123 dated 22 April 1942, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.032/3/0, Mechanical Davit, Steward Type, size 2A-7-0, approved for maximum working load of 16,700 pounds per set (8,350 pounds per

arm), using not less than 2 part falls. Identified by General Arrangement Dwg. No. A-100 dated 30 October 1939, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.032/4/0, Mechanical Davit, Steward Type, Size 4A-6-1, approved for maximum working load of 10,576 pounds per set (5,288 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. A-102 dated 1 April 1940, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.032/5/0, Mechanical Davit, Steward Type, Size 5A-5-6, approved for maximum working load of 8,180 pounds per set (4,090 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 1296 dated 22 March 1943, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.032/6/0, Mechanical Davit, Stewart Type, Size 3A-6-6, approved for maximum working load of 12,000 pounds per set (6,000 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 101 dated 29 December 1944, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.032/7/0, Mechanical Davit, Straight Boom Sheath Screw, approved for maximum working load of 14,000 pounds per set (7,000 pounds per arm), identified by General Arrangement Dwg. No. S-82-1 dated 25 Nov. 1941, manufactured by Gulf Shipbuilding Corp., Post Office Box 1365, Mobile 8, Ala.

Approval No. 160.032/8/0, Gravity Davit, Type A-1, approved for maximum working load of 16,000 pounds per set (8,000 pounds per arm) using one part falls. Identified by General Arrangement Dwg. No. 565-E dated 12 October 1943 and revised 2 June 1944, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/9/0, Gravity Davit, Type A, approved for maximum working load of 14,000 pounds per set (7,000 pounds per arm) using one part falls. Identified by General Arrangement Dwg. No. NY-4028, dated 4 January 1941 and revised 6 October 1941, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/10/0, Mechanical Davit, Crescent Boom Sheath Screw Type 5-SS-6-0, approved for maximum working load of 4,496 pounds per set (2,248 pounds per arm). Identified by General Arrangement Dwg. No. NY-4032 dated 29 January 1941, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/11/0, Mechanical Davit, Crescent Boom Sheath Screw Type 3-SS-7-0, approved for maximum working load of 16,750 pounds per set (8,375 pounds per arm). Identified by General Arrangement Dwg. No. 4010 dated 13 August 1940, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/12/0, Mechanical Davit, Crescent Boom Sheath Screw Type 4-CS-6-6-X, approved for maximum

working load of 9,500 pounds per set (4,750 pounds per arm) using not less than 2 part falls. Identified by General Arrangement Dwg. No. 331-D-X dated 7 April 1942 and revised 16 June 1942, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/13/0, Mechanical Davit, Straight Boom Sheath Screw Type 8-SS-6-0, approved for maximum working load of 7,000 pounds per set (3,500 pounds per arm). Identified by General Arrangement Dwg. No. 5661-E dated 21 January 1941 and revised 21 February 1941, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/14/0, Mechanical Davit, Straight Boom Sheath Screw Type 3A-S-6-6, approved for maximum working load of 12,000 pounds per set (6,100 pounds per arm) using not less than 4 part falls. Identified by General Arrangement Dwg. No. 425-D, dated 25 October 1943, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/15/0, Mechanical Davit, Steward Type, Size 5-7-0, approved for maximum working load of 7,500 pounds per set (3,750 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 130-D dated 27 February 1943, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/16/0, Mechanical Davit, Steward Type, Size 6-6-0-X-X, approved for maximum working load of 6,000 pounds per set (3,000 pounds per arm). Identified by General Arrangement Dwg. No. 100-D dated 2 February 1942, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/17/0, Mechanical Davit, Steward Type, size 4-6-10, approved for maximum working load of 10,400 pounds per set (5,200 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 170-D dated 10 April 1942, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/18/0, Mechanical Davit, Steward Type, Size 5-6-0-S, approved for maximum working load of 9,000 pounds per set (4,500 pounds per arm). Identified by General Arrangement Dwg. No. S-150-D dated 30 November 1942 and revised 14 October 1943, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/19/0, Mechanical Davit, Steward Type, Size 2X-7-0-L, approved for maximum working load of 15,000 pounds per set (7,500 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 220-D dated 1 May 1943, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/20/0, Mechanical Davit, Straight Boom Sheath Screw Size 5-S-6-0, approved for maximum working load of 9,000 pounds per set (4,500 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 445-D dated 12 November 1943 and revised 21 February 1944, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

## NOTICES

Approval No. 160.032/21/0, Mechanical Davit, Straight Boom Sheath Screw Type 3-S-6-6, approved for maximum working load of 14,000 pounds per set (7,000 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 460-D dated 24 July 1944 and revised 19 September 1944, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/22/0, Mechanical Davit, Crescent Boom Sheath Screw Size 4-CS-6-6, approved for maximum working load of 11,000 pounds per set (5,500 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. 330-D dated 29 September 1944, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.032/23/0, Gravity Davit, Type 51-66, approved for maximum working load of 19,000 pounds per set (9,500 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. AA 111 dated 10 November 1941, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/24/0, Gravity Davit, Type GR-16, approved for maximum working load of 16,000 pounds per set (8,000 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. AA-133 dated 4 October 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/25/0, Gravity Davit, Type GR-27, approved for maximum working load of 27,000 pounds per set (13,500 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. AA-122 dated May 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/26/0, Gravity Davit, Type GR-19B, approved for maximum working load of 19,000 pounds per set (9,500 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. AA-113 dated 12 January 1942, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/27/0, Mechanical Davit, Type MD-65, approved for maximum working load of 13,000 pounds per set (6,500 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. BA 224 dated 28 October 1941, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/28/0, Mechanical Davit, Type MD 35-14, approved for maximum working load of 7,000 pounds per set (3,500 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. BA 278B, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/29/0, Mechanical Davit, Type MD 45-10.5, approved for maximum working load of 10,000 pounds per set (5,000 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. BA 342 dated 20 January 1944, manufactured by Lane Lifeboat & Davit Corp., foot of

40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/30/0, Mechanical Davit, Type MD 65-12, approved for maximum working load of 13,500 pounds per set (6,750 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. BA 397B dated 24 August 1944 and revised 1 March 1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/31/0, Mechanical Davit, Type MD 90-17.5, approved for maximum working load of 19,200 pounds per set (9,600 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. BA 376 dated 17 June 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/32/0, Mechanical Davit, Type ND 65-16, approved for maximum working load of 13,500 pounds per set (6,750 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. BA-429, dated 19 January 1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/33/0, Mechanical Davit, Type RD 5-10. Approved for maximum working load of 5,800 pounds per set (2,900 pounds per arm) using not less than 4 part falls. Identified by General Arrangement Dwg. No. CA 395, dated 10 January 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/34/0, Mechanical Davit, Type S. S. L. 5-10.5, approved for maximum working load of 5,000 pounds per set (2,500 pounds per arm) using not less than 4 part falls. Identified by General Arrangement Dwg. No. BA343 dated 31 January 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/35/0, Mechanical Davit, Type S. S. L. 10.5-11.5, approved for maximum working load of 10,500 pounds per set (5,250 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. BA 421 dated 18 December 1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/36/0, Mechanical Davit, Type S. S. L. 14, approved for maximum working load of 14,000 pounds per set (7,000 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. CA 301 dated 25 May 1942, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/37/0, Mechanical Davit, Type S. S. L. 5, approved for maximum working load of 5,000 pounds per set (2,500 pounds per arm) using not less than 4 part falls. Identified by General Arrangement Dwg. No. CA 300-B dated 30 August 1946, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.032/38/0, Gravity Davit, Type A-1 approved for maximum working load of 16,000 pounds per set (8,000 pounds per arm) using one part falls. Identified by General Arrangement Dwg. No. D-2446 dated 31 July 1944,

manufactured by Modern Boat & Engineering Co., 6100 North Western Avenue, Chicago 45, Ill.

Approval No. 160.032/39/0, Gravity Davit, Type B-1, approved for maximum working load of 14,000 pounds per set (7,000 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. D-2572 dated 10 February 1945 and revised 3 April 1945, manufactured by Modern Boat & Engineering Co., 6100 North Western Avenue, Chicago 45, Ill.

Approval No. 160.032/40/0, Gravity Davit, Type 28A, approved for maximum working load of 17,000 pounds per set (8,500 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. 2892, dated 17 August 1945 and revised 26 September 1945, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/41/0, Gravity Davit, Type 33A, approved for maximum working load of 32,000 pounds per set (16,000 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. 2893, dated 20 August 1945 and revised 15 November 1945, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/42/0, Gravity Davit, Type 135 (welded head), approved for maximum working load of 43,000 pounds per set (21,500 pounds per arm; 17,200 pounds taken by falls and 4,300 pounds taken by davit head) using 2 part falls. Identified by General Arrangement Dwg. No. 2096 dated 30 October 1941 and revised 10 December 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/43/0, Gravity Davit, Type 30-V, approved for maximum working load of 13,000 pounds per set (6,500 pounds per arm), using 2 part falls. Identified by General Arrangement Dwg. No. 2649 dated 30 October 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/44/0, Mechanical Davit, Crescent Sheath Screw Type CA, approved for maximum working load of 11,700 pounds per set (5,850 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. 3071-2 dated 8 February 1946 and revised 8 March 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/45/0, Mechanical Davit, Crescent Sheath Screw Type CAB, approved for maximum working load of 13,000 pounds per set (6,500 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. 3086, dated 12 April 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/46/0, Gravity Davit, Type 51-59, approved for maximum working load of 15,500 pounds per set (7,750 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. 5159-1 dated 17 November 1941 and revised 21 May 1946, manufac-

tured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.030/47/0, Gravity Davit, Type 60-75, approved for maximum working load of 21,000 pounds per set (10,500 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. 6075-1 dated 25 November 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/48/0, Gravity Davit, Type 135 (Riveted Head), approved for maximum working load of 43,000 pounds per set (21,500 pounds per arm; 17,200 pounds taken by falls and 4,300 pounds taken by davit head) using 2 part falls. Identified by General Arrangement Dwg. No. 2227 dated 17 March 1942 and revised 30 September 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/49/0, Gravity Davit, Type 135-5, approved for maximum working load of 41,000 pounds per set (20,500 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. 2635 dated 16 June 1943 and revised 12 January 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/50/0, Gravity Davit, Type 76-99, approved for maximum working load of 27,000 pounds per set (13,500 pounds per arm) using 2 part falls. Identified by General Arrangement Dwg. No. 2400 dated 12 October 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/51/0, Gravity Davit Type 26A approved for maximum working load of 14,000 pounds per set (7,000 pounds per arm) using 2-part falls. Identified by General Arrangement Dwg. No. 3047 dated 24 September 1945, and revised 25 July 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/52/0, Gravity Davit, Type 36A approved for maximum working load of 35,000 pounds per set (17,500 pounds per arm) using 2-part falls. Identified by General Arrangement Dwg. No. 3047 dated 24 September 1945 and revised 25 July 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/53/0, Mechanical Davit Crescent Sheath Screw Type A, approved for maximum working load of 5,070 pounds per set (2,535 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. 1952 dated 17 March 1941 and revised 31 October 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/54/0, Mechanical Davit, Crescent Sheath Screw Type A-5W, approved for maximum working load of 5,000 pounds per set (2,500 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg.

No. 1904-1 dated 15 March 1940 and revised 1 July 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/55/0, Mechanical Davit, Crescent Sheath Screw Type B, approved for maximum working load of 10,500 pounds per set (5,250 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. 1974 dated 21 April 1941 and revised 4 November 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/56/0, Mechanical Davit, Crescent Sheath Screw Type C approved for maximum working load of 13,500 pounds per set (6,750 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. 2082 dated 17 October 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/57/0, Mechanical Davit, Crescent Sheath Screw Type AA, approved for maximum working load of 6,000 pounds per set (3,000 pounds per arm) using not less than 3 part falls. Identified by General Arrangement Dwg. No. 3070-3 dated 13 February 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/58/0, Mechanical Davit, Quadrant Type B, approved for maximum working load of 15,500 pounds per set (7,750 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. B-50 dated 24 February 1920 and revised 15 October 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/59/0, Mechanical Davit, Quadrant Type C, approved for maximum working load of 13,500 pounds per set (6,750 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. C-50 dated 22 November 1932 and revised 15 October 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/60/0, Mechanical Davit, Quadrant Type D-48, approved for maximum working load of 9,700 pounds per set (4,850 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. D-48 dated 7 November 1938, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/61/0, Mechanical Davit, Quadrant Type D-48A, approved for maximum working load of 8,100 pounds per set (4,050 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. D-48 dated 7 November 1938, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/62/0, Mechanical Davit, Quadrant Type D-54, approved for maximum working load of 9,000 pounds per set (4,500 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. D-54, dated 1 July 1920 and revised 25 November 1941,

manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/63/0, Mechanical Davit, Straight Boom Sheath Screw, Type A, approved for maximum working load of 9,000 pounds per set (4,500 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 1996, dated 28 May 1941 and revised 11 September 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/64/0, Mechanical Davit, Straight Boom Sheath Screw, Type A-7, approved for maximum working load of 7,000 pounds per set (3,500 pounds per arm) using not less than 2 part falls. Identified by General Arrangement Dwg. No. 1967, dated 14 April 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/65/0, Mechanical Davit, Straight Boom Sheath Screw, Type A-66, approved for maximum working load of 8,000 pounds per set (4,000 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 2260 dated 29 April 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/66/0, Mechanical Davit, Straight Boom Sheath Screw, Type A-66, approved for maximum working load of 13,000 pounds per set (6,500 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 2203, dated 18 February 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/67/0, Mechanical Davit, Straight Boom Sheath Screw, Type B-N, approved for maximum working load of 13,500 pounds per set (6,750 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 2411 dated 16 October 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/68/0, Mechanical Davit, Straight Boom Sheath Screw, Type C, approved for maximum working load of 12,200 pounds per set (6,100 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 2549 dated 13 March 1943 and revised 23 March 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.032/69/0, Mechanical Davit, Straight Boom Sheath Screw, Type BB, approved for maximum working load of 15,400 pounds per set (7,700 pounds per arm) using not less than 6 part falls. Identified by General Arrangement Dwg. No. 3108-1, dated 22 June 1942 and revised 29 June 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4481, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 474, 481, 1333, 50 U. S. C. 1275; 46 CFR 37.1-4, 59.3, 60.21, 76.15, 94.14, 113.23.

## NOTICES

## MECHANICAL DISENGAGING APPARATUS (FOR LIFEBOATS)

Approval No. 160.033/1/0, Steward type A releasing gear, approved for maximum working load of 15,300 pounds per set (7,650 pounds per hook), identified by General Arrangement Dwg. No. A-104 dated 19 March 1940 and revised 17 October 1942, for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.033/2/0, Steward type B releasing gear, approved for maximum working load of 22,400 pounds per set (11,200 pounds per hook), identified by General Arrangement Dwg. No. A-104 dated 19 March 1940 and revised 17 October 1942, approved for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.033/3/0, Rottmer type, size A, releasing gear, approved for maximum working load of 12,000 pounds per set (6,000 pounds per hook), identified by General Arrangement Dwg. No. 1212R dated 18 August 1942, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.033/4/0, Rottmer type, size C, releasing gear, approved for maximum working load of 18,300 pounds per set (9,150 pounds per hook), identified by General Arrangement Dwg. No. 1356 dated 13 February 1944 and revised 31 July 1944, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.033/5/0, Mills type releasing gear, approved for maximum working load of 23,000 pounds per set (11,500 pounds per hook), identified by General Arrangement Dwg. Nos. 374A and 375A dated 20 March and 25 March 1946 respectively, for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y.

Approval No. 160.033/6/0, Mills type F releasing gear, approved for maximum working load of 12,000 pounds per set (6,000 pounds per hook), identified by General Arrangement Dwg. No. CD-1111 dated 15 November 1942, for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.033/7/0, Mill type G releasing gear, approved for maximum working load of 12,000 pounds per set (6,000 pounds per hook), identified by General Arrangement Dwg. No. CD-1111 dated 15 November 1942, for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.033/8/0, Rottmer type, Assembly A, releasing gear, approved for maximum working load of

12,400 pounds per set (6,200 pounds per hook), identified by General Arrangement Dwg. No. S82-1-23 dated 5 April 1944, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.033/9/0, Rottmer type R-1 releasing gear, approved for maximum working load of 15,300 pounds per set (7,650 pounds per hook), identified by General Arrangement Dwg. No. S82-1-28 dated 28 April 1944, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.033/10/0, Rottmer type, Model R-2, releasing gear, approved for maximum working load of 19,000 pounds per set (9,500 pounds per hook), identified by General Arrangement Dwg. No. S82-1-35 dated 18 May 1944, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.033/11/0, Rottmer type, Model R-3, releasing gear, approved for maximum working load of 18,200 pounds per set (9,100 pounds per hook), identified by General Arrangement Dwg. No. S82-1-39 dated 27 June 1944, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.033/12/0, Rottmer type, Model OR5, releasing gear, approved for maximum working load of 25,200 pounds per set (12,600 pounds per hook), identified by General Arrangement Dwg. No. 2086 dated 16 December 1945, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.033/13/0, Rottmer type 5A releasing gear, approved for maximum working load of 20,400 pounds per set (10,200 pounds per hook), identified by General Arrangement Dwg. No. 5A-1A dated 9 June 1945, manufactured by Kargard Boat & Engine Co., Marinette, Wis.

Approval No. 160.033/14/0, Steward type AA releasing gear, approved for maximum working load of 8,500 pounds per set (4,250 pounds per hook), identified by General Arrangement Dwg. No. S-676-F dated 2 December 1927 and revised 12 January 1942, for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by The Landley Co., Inc., 15 Park Row, New York 7, N. Y.

Approval No. 160.033/15/0, Mills type, size C, releasing gear, approved for maximum working load of 13,000 pounds per set (6,500 pounds per hook), identified by General Arrangement Dwg. No. S-122 dated 3 November 1942, for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.033/16/0, Mills type, size D, releasing gear, approved for maximum working load of 19,000 pounds per set (9,500 pounds per hook), identified by General Arrangement Dwg. No. M128 dated 15 July 1943, for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.033/17/0, Rottmer type, size A, releasing gear, approved for maximum working load of 13,000 pounds per set (6,500 pounds per hook), identified by Detail Dwg. No. R101 dated 6 December 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.033/18/0, Rottmer type, size B, releasing gear, approved for maximum working load of 20,600 pounds per set (10,300 pounds per hook), identified by Detail Dwg. No. R-109 dated 21 April 1944 and revised 18 October 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.033/19/0, Rottmer type, size C, releasing gear, approved for maximum working load of 27,060 pounds per set (13,530 pounds per hook), identified by Detail Dwg. No. R-114 dated 7 July 1944 and revised 18 September 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.033/20/0, Rottmer type A releasing gear, approved for maximum working load of 9,000 pounds per set (4,500 pounds per hook), identified by General Arrangement Dwg. No. 258Z undated, manufactured by Frank Morrison & Son Co., 1330 West Eleventh Street, Cleveland, Ohio.

Approval No. 160.033/21/0, Rottmer type B releasing gear, approved for maximum working load of 11,000 pounds per set (5,500 pounds per hook), identified by General Arrangement Dwg. No. 259Z dated 6 May 1943, manufactured by Frank Morrison & Son Co., 1330 West Eleventh Street, Cleveland, Ohio.

Approval No. 160.033/22/0, Rottmer type C releasing gear, approved for maximum working load of 14,200 pounds per set (7,100 pounds per hook), identified by General Arrangement Dwg. No. 260Z undated, manufactured by Frank Morrison & Son Co., 1330 West Eleventh Street, Cleveland, Ohio.

Approval No. 160.033/23/0, Mills type, size A, releasing gear, approved for maximum working load of 12,000 pounds per set (6,000 pounds per hook), identified by General Arrangement Dwg. No. 1862 dated 11 December 1940, for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by the Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

Approval No. 160.033/24/0, Mills type, size B, releasing gear, approved for maximum working load of 23,400 pounds per set (11,700 pounds per hook), identified by General Arrangement Dwg. No. 1862 dated 11 December 1940, for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

Approval No. 160.033/25/0, Mills type, size C, releasing gear, approved for maximum working load of 35,800 pounds per set (17,900 pounds per hook), identified by General Arrangement Dwg. No. 1862 dated 11 December 1940, for use on all vessels except ocean and coastwise over

3,000 gross tons where it may be used for replacement purposes only, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

Approval No. 160.033/26/0, Rottmer type, Hook 297, releasing gear, approved for maximum working load of 39,800 pounds per set (19,900 pounds per hook), identified by General Arrangement Dwg. No. 2499-35 dated 22 June 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

Approval No. 160.033/27/0, Rottmer type, Hook 298, releasing gear, approved for maximum working load of 27,700 pounds per set (13,850 pounds per hook), identified by General Arrangement Dwg. No. 1894-3 dated 20 June 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

Approval No. 160.033/28/0, Rottmer type, Hook 299, releasing gear, approved for maximum working load of 15,720 pounds per set (7,860 pounds per hook), identified by General Arrangement Dwg. No. 1896-3 dated 26 June 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 241, as amended; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C., 1275; 46 CFR 37.1-7, 59.68, 76.62, 94.59.

#### HAND PROPELLING GEAR, LIFEBOAT

Approval No. 160.034/1/0, 1943 model hand propelling gear, identified by Dwg. No. 110 dated 16 April 1943, manufactured by Allen Manual Motors, 695 Castro Street, San Francisco, Calif.

Approval No. 160.034/2/0, Fleming type W hand propelling gear, identified by Arrangement Dwg. No. 320 dated 20 April 1939, manufactured by Fleming Oarless Lifeboat Corp., 61 Broadway, New York 6, N. Y.

Approval No. 160.034/3/0, Ro-Tork hand propelling gear, identified by Assembly Dwg. 3301 dated 23 September 1944 and revised 31 October 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.034/4/0, Morrison type hand propelling gear, identified by unnumbered Dwg. dated August 1941, manufactured by Frank Morrison & Son Co., 1330 West 11th Street, Cleveland, Ohio.

Approval No. 160.034/5/0, Welin type hand propelling gear, identified by General Arrangement Dwg. No. 1595 dated 15 October 1937 and revised 16 July 1941, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.034/6/0, Double gear type hand propelling gear, identified by General Arrangement Dwg. No. 1857 dated 4 November 1940 and revised 10 December 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.034/7/0, Fleming patent hand propelling gear, identified by Assembly and Arrangement Dwg. Nos. 2013 and 2015 dated 7 December 1944,

manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 59.11.

#### LIFEBOATS

Approval No. 160.035/1/0, 16.0' x 5.5' x 2.38' steel, oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement Dwg. No. LB-125, dated 23 March 1942 and revised 12 December 1942, manufactured by Neptune Boat & Davit Co., Inc., New Orleans, La.

Approval No. 160.035/2/0, 20.0' x 6.0' x 2.5' steel, oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement Dwg. No. NL-18-12-P, dated 30 October 1942, manufactured by Neptune Boat & Davit Co., Inc., New Orleans, La.

Approval No. 160.035/3/0, 22.0' x 7.5' x 2.75' steel, oar-propelled lifeboat, 24-person capacity, identified by construction and arrangement Dwg. No. LB-24-P, Sheet No. 1, dated 9 July 1942 and revised 19 September 1942, manufactured by Neptune Boat & Davit Co., Inc., New Orleans, La.

Approval No. 160.035/4/0, 27.0' x 7.5' x 3.17' steel, oar-propelled lifeboat, 31-person capacity, identified by construction and arrangement Dwg. No. NL-31-PW Sheets 1A and 2A, dated 21 September 1942, manufactured by Neptune Boat & Davit Co., New Orleans, La.

Approval No. 160.035/5/0, 24.0' x 8.0' x 3.75' steel, oar-propelled lifeboat, 38-person capacity, identified by construction and arrangement Dwg. No. NL-450, dated 2 April 1943, manufactured by Neptune Boat & Davit Co., New Orleans, La.

Approval No. 160.035/6/0, 24.0' x 8.0' x 3.75', steel motor-propelled lifeboat, without radio cabin, 35-person capacity, identified by construction and arrangement Dwg. No. NL-450 M. B. dated 24 March 1943, manufactured by Neptune Boat & Davit Co., New Orleans, La.

Approval No. 160.035/7/0, 14.0' x 4.8' x 2.0', steel oar-propelled lifeboat, 8-person capacity, identified by construction and arrangement Dwg. No. G-360, dated 19 March 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/8/0, 12.0' x 4.5' x 1.92', steel oar-propelled lifeboat, 6-person capacity, identified by construction and arrangement Dwg. No. G-211A, dated 25 May 1945 and revised 25 May 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/9/0, 14.0' x 5.0' x 2.2', steel, oar-propelled lifeboat, 9-person capacity, inland waters only, identified by construction and arrangement Dwg. No. G-359, dated 23 March 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/10/0, 14.0' x 5.2' x 2.3', steel oar-propelled lifeboat, 10-person capacity, identified by construction and arrangement Dwg. No. G-346, dated 1 September 1944, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/11/0, 16.0' x 5.7' x 2.3', steel oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement Dwg. No. G-362-D, Alt. 1, dated 13 February 1946, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/12/0, 18.0' x 5.7' x 2.5', steel oar-propelled lifeboat, 15-person capacity, ocean and coastwise, 19-person capacity inland waters, identified by construction and arrangement Dwg. No. G-229-D, dated 16 November 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/13/0, 18.0' x 5.5' x 2.4', steel, oar-propelled lifeboat, 14-person capacity, identified by construction and arrangement Dwg. No. G-229-R1, dated 16 June 1944, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/14/0, 20.0' x 6.0' x 2.6', steel, oar-propelled lifeboat, 18-person capacity, identified by construction and arrangement Dwg. No. G-130-1, dated 4 May 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/15/0, 20.0' x 6.5' x 2.6' steel oar-propelled lifeboat, 20-person capacity, identified by construction and arrangement Dwg. No. G-363-D, dated 21 December 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/16/0, 22.0' x 6.8' x 2.8' steel oar-propelled lifeboat, 25-person capacity, identified by construction and arrangement Dwg. No. G-348, dated 12 September 1944, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/17/0, 22.0' x 7.5' x 3.167' steel oar-propelled lifeboat, 31-person capacity, identified by construction and arrangement Dwg. No. G-240-C, dated 5 November 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/18/0, 22.0' x 7.5' x 3.167' steel motor-propelled lifeboat, without radio cabin, 24-person capacity, identified by construction and arrangement Dwg. No. G-344, dated 5 July 1944, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/19/0, 24.0' x 7.0' x 3.0' steel oar-propelled lifeboat, 30-person capacity, identified by construction and arrangement Dwg. No. G-338, dated 8 February 1944 and revised 25 April 1944, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/20/0, 24.0' x 8.0' x 3.5', steel, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement Dwg. No. G-126-M, dated 23 October 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/21/0, 24.0' x 7.75' x 3.33', steel, oar-propelled lifeboat, 37-person capacity, identified by construction and arrangement Dwg. No. G-126-K, dated 16 October 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

## NOTICES

Approval No. 160.035/22/0, 24.0' x 8.0' x 3.25', steel, oar-propelled lifeboat, T-Bar Keel, 37-person capacity, construction and arrangement Dwg. No. G-259-R, dated 9 June 1944, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/23/0, 24.0' x 8.0' x 3.5', steel, motor-propelled lifeboat, without radio cabin, 36-person capacity, identified by construction and arrangement Dwg. No. G-303, dated 11 January 1943 and revised 21 November 1944, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/24/0, 24.0' x 8.0' x 3.5', steel, motor-propelled lifeboat, without radio cabin, 36-person capacity, identified by construction and arrangement Dwg. No. G-365, dated 16 June 1945 and revised 1 August 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/25/0, 26.0' x 7.75' x 3.25' steel oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement Dwg. No. G-389, dated 6 September 1946 and revised 15 October 1946, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/26/0, 26.0' x 8.75' x 3.75' steel oar-propelled lifeboat, 50-person capacity, identified by construction and arrangement Dwg. No. G-344, undated and revised 23 April 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/27/0, 28.0' x 9.0' x 4.0' steel car-propelled lifeboat, 59-person capacity, identified by construction and arrangement Dwg. No. G-355, dated 5 March 1945, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/28/0, 28.0' x 10.0' x 4.0', steel motor-propelled lifeboat without radio cabin, 60-person capacity, identified by construction and arrangement Dwg. No. G-382, dated 11 April 1946 and revised 26 August 1946, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/29/0, 28.0' x 10.0' x 4.0', steel hand-propelled lifeboat, 67-person capacity, identified by construction and arrangement Dwg. No. G-246-D, dated 1 May 1946 and revised 13 August 1946, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/30/0, 31.0' x 10.5' x 4.33' steel motor-propelled lifeboat, without radio cabin, 84-person capacity, identified by construction and arrangement Dwg. No. 2520, dated 16 February 1943 and revised 19 April 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/31/0, 12.0' x 4.42' x 1.92', steel car-propelled lifeboat, 6-person capacity for river service, identified by construction and arrangement Dwg. No. 3127, dated 3 August 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/32/0, 18.0' x 6.25' x 2.75' aluminum, car-propelled lifeboat, 18-person capacity, identified by construction and arrangement Dwg. No.

3049, dated 11 January 1946 and revised 16 August 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/33/0, 18.0' x 6.5' x 2.6', steel oar-propelled lifeboat, 18-person capacity, identified by construction and arrangement Dwg. No. 3121, dated 27 June 1946 and revised 5 August 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/34/0, 18.0' x 5.75' x 2.42', steel car-propelled lifeboat, 15-person capacity identified by construction and arrangement Dwg. No. 757-1, dated 15 May 1943 and revised 27 June 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/35/0, 18.0' x 5.83' x 2.58' steel oar-propelled lifeboat, 16-person capacity, identified by construction and arrangement Dwg. No. 2940, dated 11 January 1945, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/36/0, 20.0' x 6.0' x 2.67', wood, oar-propelled lifeboat, 19-person capacity, identified by construction and arrangement Dwg. No. 1492, dated 18 February 1946, and revised 24 June 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/37/0, 22.0' x 7.5' x 3.17' steel motor-propelled lifeboat, without radio cabin, 25-person capacity, identified by construction and arrangement Dwg. No. 2389, dated 12 September 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/38/0, 24.0' x 7.75' x 3.33' steel, motor-propelled lifeboat without radio cabin, 31-person capacity, identified by construction and arrangement Dwg. No. 245-E dated 25 February 1942, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/39/0, 24.0' x 8.0' x 3.58', steel motor-propelled lifeboat, without radio cabin, independent air tanks, 37-person capacity, identified by construction and arrangement Dwg. No. 2805, dated 5 May, 1943 and revised 26 February 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/40/0, 24.0' x 8.0' x 3.58' steel, motor-propelled lifeboat, without radio cabin, 36-person capacity, identified by construction and arrangement Dwg. No. 3009, dated 14 June 1945 and revised 16 October 1945, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/41/0, 24.0' x 8.0' x 3.58' steel, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement Dwg. No. 2602, dated 29 April 1943 and revised 18 February 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/42/0, 24.0' x 8.0' x 3.58' steel, motor-propelled lifeboat with radio cabin, 35-person capacity, identified by construction and arrangement Dwg. No. 2574, dated 15 April 1943, manufactured by Welin Davit and Boat

Dwg. No. 2981, dated 7 February 1946 and revised 26 February 1946, manufactured by the Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/43/0, 24.0' x 8.0' x 3.73' steel oar-propelled lifeboat, independent air tanks, 40-person capacity identified by construction and arrangement Dwg. No. 2628-4, dated 28 September 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/44/0, 24.0' x 8.0' x 3.73' steel motor-propelled lifeboat without radio cabin, independent air tanks, 37-person capacity, identified by construction and arrangement Dwg. No. 2628-2, dated 30 October 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/45/0, 24.0' x 8.0' x 3.73' steel motor-propelled lifeboat, without radio cabin, built-in air tanks, 36-person capacity, identified by construction and arrangement Dwg. No. 2727, dated 30 December 1943 and revised 24 February 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/46/0, 36.5' x 11.75' x 5.25' aluminum, motor-propelled lifeboat, with radio cabin, 130-person capacity identified by construction and arrangement Dwg. No. 2896-A, dated 19 April 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/47/0, 24.0' x 8.0' x 3.73' steel oar-propelled lifeboat, built-in air tank, 40-person capacity, identified by construction and arrangement Dwg. No. 2712, dated 8 December 1943 and revised 24 February 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/48/0, 24.0' x 8.0' x 3.33' steel, oar-propelled lifeboat, T-bar keel, 38-person capacity, identified by construction and arrangement Dwg. No. 2847-1, dated 25 May 1944, and revised 26 September 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/49/0, 24.0' x 8.0' x 3.33' steel, motor-propelled lifeboat without radio cabin, 36-person capacity, identified by construction and arrangement Dwg. No. 2847-3 dated 29 May 1944 and revised 26 September 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/50/0, 24.0' x 8.63' x 3.88' aluminum motor-propelled lifeboat, without radio cabin, 43-person capacity, identified by construction and arrangement Dwg. No. 3050, dated 31 August 1945 and revised 16 August 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/51/0, 26.0' x 9.0' x 3.67' steel, motor-propelled lifeboat, without radio cabin, 46-person capacity, identified by construction and arrangement Dwg. No. 2574, dated 15 April 1943, manufactured by Welin Davit and Boat

Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/52/0, 26.0' x 9.0' x 3.67' steel oar-propelled lifeboat, 50-person capacity, identified by construction and arrangement Dwg. No. 1456-D, 22 June 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/53/0, 26.0' x 9.0' x 3.83' aluminum, oar-propelled lifeboat, 53-person capacity, identified by construction and arrangement Dwg. No. 3083 dated 14 May 1946 and revised 19 September 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/54/0, 26.0' x 8.3' x 3.6' aluminum oar-propelled lifeboat, 46-person capacity, identified by construction and arrangement Dwg. No. 2815-A dated 19 March 1945 and revised 4 December 1945, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/55/0, 26.0' x 8.3' x 3.6' aluminum, motor-propelled lifeboat, with radio cabin, 40-person capacity, identified by construction and arrangement Dwg. No. 3084 dated 2 May 1946 and revised 19 September 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/56/0, 26.0' x 8.3' x 3.6' steel motor-propelled lifeboat, with radio cabin, 39-person capacity identified by construction and arrangement Dwg. No. 2868-1 dated 31 July 1944 and revised 30 November 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/57/0, 26.0' x 8.3' x 3.6' steel, motor-propelled lifeboat without radio cabin, 43-person capacity, identified by construction and arrangement Dwg. No. 2985, dated 23 March 1945 and revised 14 April 1945, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/58/0, 28.0' x 9.79' x 4.13' aluminum, hand-propelled lifeboat, built-in air tanks, 75-person capacity, identified by construction and arrangement Dwg. No. 3112, dated 7 June 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/59/0, 28.0' x 9.79' x 4.13' steel, motor-propelled lifeboat without radio cabin, 65-person capacity, identified by construction and arrangement Dwg. No. 2413, undated, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/60/0, 28.0' x 9.0' x 3.96' steel motor-propelled lifeboat with radio cabin, 48-person capacity, identified by construction and arrangement Dwg. No. 2659, dated 13 July 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/61/0, 28.0' x 9.0' x 3.96' aluminum, motor-propelled lifeboat, without radio cabin, build-in-air tanks, 54-person capacity, identified by construction and arrangement Dwg. No.

2810-1, dated 24 March 1944 and revised 30 November 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/62/0, 28.0' x 9.0' x 3.96', aluminum oar-propelled lifeboat, built-in air tanks, 59-person capacity, identified by construction and arrangement Dwg. No. 2810-3 dated 20 March 1944 and revised 30 November 1944, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/63/0, 31.0' x 11.25' x 4.5' steel, motor-propelled lifeboat, without radio cabin, 83-person capacity, identified by construction and arrangement Dwg. No. 2414, dated 8 March 1945, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/64/0, 31.0' x 11.25' x 4.5' steel hand-propelled lifeboat, 84-person capacity, identified by construction and arrangement Dwg. No. 2665, dated 31 July 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/65/0, 33.5' x 11.75' x 4.87' aluminum, motor-propelled lifeboat, with radio cabin, 109-person capacity, identified by construction and arrangement Dwg. No. 2882-A dated 8 May 1945 and revised 18 December 1945, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/66/0, 36.5' x 11.75' x 5.25' aluminum, hand-propelled lifeboat, 135-person capacity, identified by construction and arrangement Dwg. No. 2894-A dated 28 January 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/67/0, 24.0' x 8.0' x 3.75' wood, motor-propelled lifeboat, without radio cabin, 34-person capacity, identified by construction and arrangement Dwg. No. 5LA-101-X dated 24 April 1943, manufactured by Gunderson Brothers Engineering Corp., Portland, Oreg.

Approval No. 160.035/68/0, 24.0' x 8.0' x 3.75' wood, oar-propelled lifeboat, 34-person capacity, identified by construction and arrangement Dwg. No. 5L-228-X, manufactured by Gunderson Brothers Engineering Corp., 4700 Northwest Front Avenue, Portland, Oreg.

Approval No. 160.035/69/0, 24.0' x 8.5' x 3.5' wood, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement Dwg. No. 5L-101-X, dated 26 February 1943 and revised 7 April 1943, manufactured by Gunderson Brothers Engineering Corp., 4700 Northwest Front Avenue, Portland, Oreg.

Approval No. 160.035/70/0, 16.0' x 5.71' x 2.30' steel, oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement Dwg. No. 2043 dated 8 June 1945, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/71/0, 18.0' x 6.0' x 2.375' steel, oar-propelled lifeboat, 15-person capacity, identified by construction and arrangement Dwg. No. 2014,

dated 20 December 1944, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/72/0, 22.0' x 7.5' x 3.17' steel, oar-propelled lifeboat, 31-person capacity, identified by construction and arrangement Dwg. No. 1024-A, dated 23 March 1944, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/73/0, 22.0' x 7.5' x 3.17' steel, motor-propelled lifeboat, without radio cabin, 25-person capacity, identified by construction and arrangement Dwg. No. M-1025-A, dated 23 March 1944, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/74/0, 24.0' x 8.0' x 3.42' steel, oar-propelled lifeboat, 38-person capacity, identified by construction and arrangement Dwg. No. M-1117, dated 15 April 1943, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/75/0, 24.0' x 8.0' x 3.42' steel, motor-propelled lifeboat, without radio cabin, 35-person capacity, identified by construction and arrangement Dwg. No. M-1119, dated 15 April 1943, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/76/0, 26.0' x 9.0' x 3.6' steel, motor-propelled lifeboat, without radio cabin, 44-person capacity, identified by construction and arrangement Dwg. No. 2059, dated 6 August 1945, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/77/0, 26.0' x 9.0' x 3.60' steel oar-propelled lifeboat, 50-person capacity, identified by construction and arrangement Dwg. No. 2058, dated 6 August 1945, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/78/0, 28.0' x 9.0' x 3.96' steel, motor-propelled lifeboat, without radio cabin, 52-person capacity, identified by construction and arrangement Dwg. No. S9-0-11, dated 9 November 1943 and revised 10 August 1944, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/79/0, 28.0' x 9.0' x 3.96' steel, oar-propelled lifeboat, 59-person capacity, identified by construction and arrangement Dwg. No. 2079, dated 9 October 1945, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/80/0, 28.0' x 9.0' x 3.96' steel, motor-propelled lifeboat, with radio cabin, 55-person capacity, identified by construction and arrangement Dwg. No. 2078, dated 9 October 1945, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/81/0, 30.0' x 9.67' x 4.17' steel hand-propelled lifeboat, 70-person capacity, identified by construction and arrangement Dwg. No. 2156, dated 15 August 1946, manufactured by Imperial Lifeboat & Davit Co., Inc., Athens, N. Y.

Approval No. 160.035/82/0, 12.0' x 5.0' x 2.25' steel, oar-propelled lifeboat, 8-person capacity, identified by construction and arrangement Dwg. No. 444, dated 11 June 1942, manufactured by Tregoning Industries, Inc., Seattle, Wash.

## NOTICES

Approval No. 160.035/83/0, 26.0' x 8.5' x 3.825' steel hand-propelled lifeboat, 50-person capacity, identified by construction and arrangement Dwg. No. 469B, dated February 1944, manufactured by Tregoning Industries, Inc., Seattle, Wash.

Approval No. 160.035/84/0, 26.0' x 8.5' x 3.825' steel, motor-propelled lifeboat, with radio cabin, 40-person capacity, identified by construction and arrangement Dwg. No. 493 dated April 1944, manufactured by Tregoning Industries, Inc., Seattle, Wash.

Approval No. 160.035/85/0, 12.0' x 4.4' x 1.9' steel, oar-propelled lifeboat, 6-person capacity, identified by construction and arrangement Dwg. No. 1213, dated 1 September 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/86/0, 14.0' x 5.0' x 2.0' steel, oar-propelled lifeboat, 8-person capacity, identified by construction and arrangement Dwg. No. 1416, dated 14 November 1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/87/0, 14.0' x 5.0' x 2.17' steel, oar-propelled lifeboat, 9-person capacity, identified by construction and arrangement Dwg. No. 1412, dated 26 August 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/88/0, 14.0' x 5.4' x 2.3' steel, oar-propelled lifeboat, square stern, 10-person capacity Lake, Bay and Sound Service, 12-person capacity, River Service, identified by construction and arrangement Dwg. No. 1411, manufactured by Lane Lifeboat & Davis Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/89/0, 16.0' x 5.7' x 2.3' steel, oar-propelled, lifeboat, 12-person capacity, identified by construction and arrangement Dwg. No. 1612, dated 17 May 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/90/0, 18.0' x 6.0' x 2.4' steel, oar-propelled lifeboat, 15-person capacity, identified by construction and arrangement Dwgs. No. 1812, dated 20 April 1943 and 1812B, dated 22 April, 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/91/0, 18.0' x 6.0' x 2.6' steel, oar-propelled lifeboat, 18-person capacity, identified by construction and arrangement Dwg. No. 1815, dated 8 February 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/92/0, 18.0' x 6.0' x 2.6' aluminum, oar-propelled lifeboat, 18-person capacity, identified by construction and arrangement Dwg. No. 1816, dated 26 September 1944 and revised 6 December 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/93/0, 20.0' x 6.5' x 2.5' steel, oar-propelled lifeboat, 20-person capacity, identified by construction and arrangement Dwg. No. 2020, dated 29 April 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/94/0, 20.0' x 6.0' x 2.5' steel, oar-propelled lifeboat, 18-person capacity, identified by construction and arrangement Dwg. No. 2020, dated 29 April 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/95/0, 20.0' x 7.0' x 3.10' steel, oar-propelled lifeboat, 26-person capacity, identified by construction and arrangement Dwg. No. 2021, dated 14 October 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/96/0, 22.0' x 6.9' x 2.8' steel, oar-propelled lifeboat, 25-person capacity, identified by construction and arrangement Dwg. No. 2220, dated 29 October 1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/97/0, 22.0' x 7.5' x 3.17' steel, motor-propelled lifeboat, without radio cabin, 25-person capacity, identified by construction and arrangement Dwg. No. 2219, dated 12 June 1942, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/98/0, 22.0' x 7.5' x 3.17' steel, oar-propelled lifeboat, 31-person capacity, identified by construction and arrangement Dwg. No. 2217, dated 12 June 1942, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/99/0, 24.0' x 7.0' x 3.0' steel oar-propelled, lifeboat, 30-person capacity, identified by construction and arrangement Dwg. No. 2435, dated 19 June 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/100/0, 24.0' x 7.5' x 3.25' steel oar-propelled lifeboat, 34-person capacity, identified by construction and arrangement Dwg. No. 2424 dated 3 August 1942, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/101/0, 24.0' x 7.9' x 3.3' steel, oar-propelled lifeboat, 37-person capacity, identified by construction and arrangement Dwg. No. 2432, dated 17 August, 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/102/0, 24.0' x 8.0' x 3.5' steel, motor-propelled lifeboat, without radio cabin, 35-person capacity, identified by construction and arrangement Dwg. No. 2425 dated 5 August 1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/103/0, 24.0' x 8.0' x 3.5' steel, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement Dwg. No. 2428, dated 5 August 1943 and revised 4 April 1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/104/0, 24.0' x 8.0' x 3.73 steel, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement Dwg. No. 2436, dated 24 March 1945, and revised 4 April

1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/105/0, 26.0' x 9.0' x 3.6' steel, motor-propelled lifeboat, without radio cabin, 45-person capacity, identified by construction and arrangement Dwg. No. 2657, dated 4 April 1945 and revised 21 February 1946, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/106/0, 26.0 x 8.3' x 3.58' steel, oar-propelled lifeboat, 46-person capacity, identified by construction and arrangement Dwg. No. 2659, dated 5 December 1945, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/107/0, 26.0' x 9.0' x 3.6' steel, oar-propelled lifeboat, 50-person capacity, identified by construction and arrangement Dwg. No. 2655, dated 10 January 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/108/0, 28.0' x 9.25' x 3.83' aluminum, motor-propelled lifeboat, without radio cabin, 59-person capacity, identified by construction and arrangement Dwg. No. 2823 dated 26 September 1944 and revised 6 December 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/109/0, 28.0' x 9.25' x 3.83' steel, car-propelled lifeboat, 59-person capacity, identified by construction and arrangement Dwg. No. 2818, dated 24 July 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/110/0, 28.0' x 9.8' x 4.12' steel, motor-propelled lifeboat, without radio cabin, 60-person capacity, identified by construction and arrangement Dwg. No. 2827, dated 11 September 1946, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/111/0, 28.0' x 9.25' x 3.83' steel, motor-propelled lifeboat, without radio cabin, 52-person capacity, identified by construction and arrangement Dwg. No. 2817, dated 26 July 1943, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/112/0, 30.0' x 9.25' x 3.83' steel, motor-propelled lifeboat, without radio cabin, 56-person capacity, identified by construction and arrangement Dwg. No. 3018 dated 14 January 1946, revised 25 July 1946, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/113/0, 31.0' x 11.25' x 4.5' steel, hand-propelled lifeboat, 84-person capacity, identified by construction and arrangement Dwg. No. 3110, dated 6 October 1944, manufactured by Lane Lifeboat & Davit Corp., foot of 40th Road and Flushing River, Flushing, N. Y.

Approval No. 160.035/114/0, 26.0' x 7.67' x 3.92' wood, motor-propelled lifeboat, without radio cabin, approved for Hawaiian waters only, capacity unknown, with no drawings on file, manufactured

by Inter-Island Steam Navigation Co., Ltd., Honolulu, T. H.

Approval No. 160.035/115/0, 26.0' x 7.67' x 3.42', wood, oar-propelled lifeboat, capacity unknown, with no drawings on file, manufactured by Inter-Island Steam Navigation Co., Ltd., Honolulu, T. H.

Approval No. 160.035/116/0, 24.0' x 7.9' x 3.33' steel, oar-propelled lifeboat, 37-person capacity, identified by construction and arrangement Dwg. No. 24-37, undated, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/117/0, 14.0' x 5.75' x 2.62' steel, oar-propelled lifeboat, 12-person capacity, identified by unnumbered construction and arrangement Dwg. dated August 1936, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/118/0, 16.0' x 6.0' x 2.5', steel, oar-propelled lifeboat, 14-person capacity identified by construction and arrangement Dwg. No. 16-14 dated 6 November 1941, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/119/0, 22.0' x 6.0' x 2.58' steel, oar-propelled lifeboat, 20-person capacity, identified by unnumbered Dwg. dated 2 August 1938, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/120/0, 22.0' x 6.17' x 2.75' steel, oar-propelled lifeboat, 22-person capacity, identified by construction and arrangement Dwg. No. 2222, dated 2 September 1933, and revised 5 August 1938, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/121/0, 22.0' x 6.67' x 3.0', steel, oar-propelled lifeboat, 25-person capacity, identified by construction and arrangement Dwg. No. 2, dated 21 April 1938, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/122/0, 24.0' x 7.0' x 3.0', steel, oar-propelled lifeboat, 30-person capacity, identified by construction and arrangement Dwg. No. 1, dated 27 February 1940, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/123/0, 28.0' x 9.25' x 4.0', steel, hand-propelled lifeboat, 60-person capacity, identified by unnumbered Dwg., dated 2 December 1940, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/124/0, 14.0' x 5.66' x 2.208' steel, oar-propelled lifeboat, 10-person capacity, identified by unnumbered Dwg., manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/125/0, 14.0' x 5.83' x 2.625' steel, oar-propelled lifeboat, 15-person capacity, identified by construction and arrangement Dwg. No. 20F 2, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/126/0, 16.0' x 6.0' x 2.65', steel, oar-propelled lifeboat, 15-person capacity, identified by unnumbered Dwg., manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/127/0, 18.0' x 6.0' x 2.50' steel, oar-propelled lifeboat, 16-person capacity, identified by construction and arrangement Dwg. No. 1 of G,

manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/128/0, 18.0' x 5.84' x 2.5' steel, oar-propelled lifeboat, 15-person capacity, identified by construction and arrangement Dwg. No. 1 of G, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/129/0, 20.0' x 6.0' x 2.16' steel, oar-propelled lifeboat, 15-person capacity, identified by construction and arrangement Dwg. No. CC, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/130/0, 20.0' x 6.0' x 2.50', steel, oar-propelled lifeboat, 18-person capacity, identified by construction and arrangement Dwg. No. 1, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/131/0, 22.0' x 6.5' x 2.75' steel, oar-propelled lifeboat, 23-person capacity, identified by construction and arrangement Dwg. No. BB-1, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/132/0, 26.0' x 7.75' x 3.36', steel, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement Dwg. No. 2 of 2, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/133/0, 26.0' x 9.0' x 3.63' steel, oar-propelled lifeboat, 50-person capacity, identified by construction and arrangement Dwg. No. 1 of 1, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/134/0, 28.0' x 8.38' x 3.58' steel, oar-propelled lifeboat, 50-person capacity, identified by construction and arrangement Dwg. No. 2 of 2, manufactured by Frank Morrison & Son Co., Cleveland, Ohio.

Approval No. 160.035/135/0, 30.0' x 10.0' x 4.13' steel motor-propelled lifeboat with radio cabin, 64-person capacity, identified by construction and arrangement Dwg. No. 1821, dated 26 December 1939, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/136/0, 12.0' x 4.5' x 2.0' steel, oar-propelled lifeboat, 6-person capacity identified by construction and arrangement Dwg. No. 556 A dated 18 February 1943, manufactured by Boatcraft Co., corner Cropsey and 26th Avenues, Brooklyn, N. Y.

Approval No. 160.035/137/0, 16.0' x 5.5' x 2.3' steel oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement Dwg. No. 557 A, dated 10 March 1944, manufactured by Boatcraft Co., corner Cropsey and 26th Avenues, Brooklyn, N. Y.

Approval No. 160.035/138/0, 22.0' x 7.5' x 3.16' steel oar-propelled lifeboat, 31-person capacity, identified by construction and arrangement Dwg. No. 550, dated 25 May 1942, manufactured by Boatcraft Co., corner Cropsey and 26th Avenues, Brooklyn, N. Y.

Approval No. 160.035/139/0, 24.0' x 8.0' x 3.5' steel, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement Dwg. No. 553, dated 31 August 1942, manufactured by Boatcraft Co., corner Cropsey and 26th Avenues, Brooklyn, N. Y.

Approval No. 160.035/140/0, 27.8' x 8.5' x 3.8' clinker-built wood oar-propelled lifeboat, 38-person capacity, identified by construction and arrangement Dwg. No. D. P. L. B. 61, Sheet No. 2, dated 28 October 1943, manufactured by Fox River Boat Works, DePere, Wis.

Approval No. 160.035/141/0, 22.0' x 7.5' x 3.25' steel, oar-propelled lifeboat, 31-person capacity, identified by construction and arrangement Dwg. No. K-109-2, Alt. 1, manufactured by Kargard Boat & Engine Co., Marinette, Wis.

Approval No. 160.035/142/0, 22.0' x 7.5' x 3.25' steel, motor-propelled lifeboat, without radio cabin, 25-person capacity, identified by construction and arrangement Dwg. No. K-108-2, Alt. 2, manufactured by Kargard Boat & Engine Co., Marinette, Wis.

Approval No. 160.035/143/0, 24.0' x 8.0' x 3.75' steel, motor-propelled lifeboat, without radio cabin, 35-person capacity, identified by construction and arrangement Dwg. No. K-106-2, Alt. 5, dated 4 August 1945, manufactured by Kargard Boat & Engine Co., Marinette, Wis.

Approval No. 160.035/144/0, 24.0' x 8.0' x 3.75' steel oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement Dwg. No. K-107-2, Alt. 3, dated 4 August 1945, manufactured by Kargard Boat & Engine Co., Marinette, Wis.

Approval No. 160.035/145/0, 28.0' x 9.0' x 4.0' steel, motor-propelled lifeboat without radio cabin, 46-person capacity, identified by construction and arrangement Dwg. No. M-13, Alt. 2, dated 26 July 1944, revision F dated 10 October 1944, manufactured by Kargard Boat & Engine Co., Marinette, Wis.

Approval No. 160.035/146/0, 30.0' x 10.0' x 4.13' steel motor-propelled lifeboat without radio cabin, 68-person capacity, identified by construction and arrangement Dwg. No. 2054, dated 14 March 1945, revised 26 June 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/147/0, 26.0' x 9.0' x 3.83' aluminum hand-propelled lifeboat, 53-person capacity, identified by construction and arrangement Dwg. No. 3159, dated 9 March 1947 and revised 16 May 1947, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/148/0, 16.0' x 5.5' x 2.38' steel oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement Dwg. No. 408, dated 29 December 1943, and revised 13 March 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/151/0, 30.0' x 10.0' x 4.13' aluminum motor-propelled lifeboat, with radio cabin, 75-person capacity, identified by construction and arrangement Dwg. No. 3124, dated 15 August 1946 and revised 10 March 1947, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/152/0, 30.0' x 9.67' x 4.17' aluminum hand-propelled lifeboat, 70-person capacity, identified by construction and arrangement Dwg. No. 3137, dated 16 October 1946, and revised 26 March 1947, manufactured by Welin

## NOTICES

Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/153/0, 30.0' x 10.0' x 4.13' aluminum hand-propelled lifeboat, 83-person capacity, identified by construction and arrangement Dwg. No. 3125, dated 6 August 1946, and revised 10 March 1947, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/154/0, 30.0' x 10.25' x 3.5' steel hand-propelled lifeboat, 76-person capacity, identified by construction and arrangement Dwg. No. 1300, dated 18 April 1946, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/157/0, 35.0' x 12.33' x 5.25' steel lifeboat, motor-propelled, without radio cabin, 135-person, identified by construction and arrangement Dwg. No. 2499, dated 18 January 1943, manufactured by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, N. J.

Approval No. 160.035/160/0, 16.0' x 5.0' x 2.1' steel oar-propelled lifeboat for service other than ocean and coastwise, 10-person capacity, identified by construction and arrangement Dwg. No. 1614, dated 5 December 1946, manufactured by Lane Lifeboat and Davit Corporation, foot of 40th Road and Flushing River, Flushing, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4481, 4488, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 396, 404, 474, 481, 490, 1333, 50 U. S. C. 1275; 46 CFR 37.1-1, 59.13, 76.16, 94.15, 118.10.

## SOUND POWERED TELEPHONE EQUIPMENT

Approval No. 161.005/1/0, Sound powered telephone station, selective ringing, common talking, 17 station maximum, bulkhead mounting, splashproof, Drawing No. 70-523-1 Alt. 0: Type 3—Telephone station with 3" bell; Type 6—Telephone station with 6" bell; Type 8—Telephone station with 8" bell; Type O—Telephone station without attached bell (separately mounted hand generator bell must be provided), manufactured by Henschel Corp., Amesbury, Mass.

Approval No. 161.005/2/0, Sound powered telephone station, selective ringing, common talking, 8 station maximum, bulkhead mounting, splashproof, Drawing No. 70-523 Alt. 2: Type 3—Telephone station with 3" bell; Type 6—Telephone station with 6" bell; Type 8—Telephone station with 8" bell; Type O—Telephone station without attached bell (separately mounted hand generator bell must be provided), manufactured by Henschel Corp., Amesbury, Mass.

Approval No. 161.005/3/0, Sound powered telephone station, selective ringing, common talking, 8 station maximum, waterproof, Drawing No. 70-524 Alt. 3: Type B—Bulkhead mounting station with 8" bell; Type P—Pedestal mounting station with 8" bell, manufactured by Henschel Corp., Amesbury, Mass.

Approval No. 161.005/4/0, Sound powered telephone station relay, for operation with hand generator, non-locking, splashproof, Drawing No. 60-162 Alt. 2, manufactured by Henschel Corp., Amesbury, Mass.

Approval No. 161.005/5/0, Sound powered telephone station relay, for operation with hand generator, manual release, splashproof, Drawing No. 60-164 Alt. 2, manufactured by Henschel Corp., Amesbury, Mass.

Approval No. 161.005/5/0, Sound powered telephone station, selective ringing, common talking, 15 station maximum, pedestal mounting, waterproof, Drawing No. W.T.P.-208 Alt. 0, manufactured by Alwin Products Corp., 161 Van Wagenen Avenue, Jersey City, N. J.

Approval No. 161.005/7/0, Sound powered telephone station, selective ringing, common talking, 15 station maximum, bulkhead mounting, waterproof, Drawing No. W.T.P.-207 Alt. 0, manufactured by Alwin Products Corp., 161 Van Wagenen Avenue, Jersey City, N. J.

Approval No. 161.005/8/0, Sound powered telephone station, selective ringing, common talking, 7 station maximum, bulkhead mounting, splashproof, Drawing No. ASP-200 Alt. 3: Type ASP—with 3", 4", 6" or 8" hand generator bell; Type ASPR—3", 4", 6" or 8" hand generator bell and relay; Type ASPRH—with 3", 4", 6" or 8" hand generator bell, relay and howler, manufactured by Alwin Products Corp., 161 Van Wagenen Avenue, Jersey City, N. J.

Approval No. 161.005/9/0, Sound powered telephone station, selective ringing, common talking, 7 station maximum, bulkhead mounting, splashproof, Drawing No. CSP-201 Alt. 3: Type CSP—with 3", 4", 6" or 8" hand generator bell; Type CSPR—with 3", 4", 6" or 8" hand generator bell and relay; Type CSPRH—with 3", 4", 6" or 8" hand generator bell relay and howler, manufactured by Alwin Products Corp., 161 Van Wagenen Avenue, Jersey City, N. J.

Approval No. 161.005/10/0, Sound powered telephone station, selective ringing, common talking, 7 station maximum, waterproof, with attached 3", 4", 6", or 8" hand generator bell, Drawing No. WTB-202/WTP-203 Alt. 3: Type WT No. 202—Bulkhead mounting; Type WT No. 203—Pedestal mounting, manufactured by Alwin Products Corp., 161 Van Wagenen Avenue, Jersey City, N. J.

Approval No. 161.005/11/0, Sound powered telephone station, selective ringing, common talking, 11 stations maximum, bulkhead mounting, waterproof, with separately mounted 6" hand generator bell, Drawing No. 11 Alt. 2, Type A, Model WT-1, manufactured by Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn 2, N. Y.

Approval No. 161.005/12/0, Sound powered telephone station, selective ringing, common talking, 11 station maximum, bulkhead mounting, splashproof, with internal hand generator bell, Drawing No. 1, Alt. 2, Type A, Model W, manufactured by Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn 2, N. Y.

Approval No. 161.005/13/0, Sound powered telephone station, selective ringing, common talking, 11 station maximum, bulkhead mounting, splashproof, with separately mounted 6" hand generator bell, Drawing No. 3 Alt. 2, Type A, Model E, manufactured by Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn 2, N. Y.

Approval No. 161.005/14/0, Sound powered telephone station, selective ringing, common talking, 11 station maximum, bulkhead mounting, splashproof, with separately mounted hand generator cowbell and relay for externally powered howler, Drawing No. 4 Alt. 2, Type A, Model E, manufactured by Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn 2, N. Y.

Approval No. 161.005/15/0, Sound powered telephone station, selective ringing, common talking, 11 station maximum, bulkhead mounting, waterproof, with attached 3" hand generator bell, Drawing No. 5 Alt. 2, Type A, Model W.T., manufactured by Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn 2, N. Y.

Approval No. 161.005/16/0, Sound powered telephone station, selective ringing, common talking, 11 station maximum, bulkhead mounting, waterproof, with separately mounted 6" hand generator bell, Drawing No. 6 Alt. 2, Type A, Model W.T., manufactured by Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn 2, N. Y.

Approval No. 161.005/17/0, Sound powered telephone station, selective ringing, common talking, 11 station maximum, pedestal mounting, waterproof, with attached 6", 8" or 10" hand generator bell, Drawing No. 8 Alt. 2, Type A, Model W.T.P., manufactured by Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn 2, N. Y.

Approval No. 161.005/18/0, Sound powered telephone station, selective ringing, common talking, 11 station maximum, bulkhead mounting, splashproof, Drawing No. 9 Alt. 2: Model K-3—with attached 3" hand generator bell; Model K-4—with attached 4" hand generator bell; Model K-6—with attached 6" hand generator bell; Model K-8—with attached 8" hand generator bell; Model KCB—with attached hand generator Cox bell, manufactured by Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn 2, N. Y.

Approval No. 161.005/19/0, Sound powered telephone station, selective ringing, common talking, 11 station maximum, pedestal mounting, waterproof, with attached 6", 8", or 10" hand generator bell, Drawing No. 12 Alt. 2, Type A, Model W.T.P.-1, manufactured by Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn 2, N. Y.

Approval No. 161.005/20/0, Sound powered telephone handset, Drawing No. A-257 Alt. 2, manufactured by United States Instrument Corp., 19 South Harrison Street, East Orange, New Jersey.

Approval No. 161.005/21/0, Sound powered telephone handset, type 22, Drawing No. L-893 issue 23, assemblies AO, CO, DO, EO, GO, HO, JO, KO, and LO, manufactured by Automatic Electric Sales Corp., 1033 West Van Buren Street, Chicago 7, Ill.

Approval No. 161.005/22/0, Sound powered telephone station, selective ringing, common talking, 15 station maximum, bulkhead mounting, splashproof, with attached hand generator bell, Drawing No. L-7002 issue 24, Type S.P.B., Model 2, assemblies AO, EO, and CO, manufactured by Automatic Elec-

tric Sales Corp., 1033 West Van Buren Street, Chicago 7, Ill.

Approval No. 161.005/23/0, Sound powered telephone station, selective ringing, common talking, 15 station maximum, bulkhead mounting, splashproof, Drawing No. L-7003 issue 22, Type S.P.B. Model 2, assemblies AO, BO and CO, manufactured by Automatic Electric Sales Corp., 1033 West Van Buren Street, Chicago 7, Ill.

Approval No. 161.005/24/0, Sound powered telephone station, selective ringing, common talking, 15 station maximum, bulkhead mounting, waterproof, with attached hand generator bell, Drawing No. L-7004 issue 26, Type W.T.B. Model 2, assemblies AO, BO, CO, DO, EO and FO, manufactured by Automatic Electric Sales Corp., 1033 West Van Buren Street, Chicago 7, Ill.

Approval No. 161.005/25/0, Sound powered telephone station, selective ringing, common talking, 15 station maximum, bulkhead mounting, waterproof, Drawing No. L-7005 issue 25, Type W.T.B. Model 2, assemblies AO, BO, CO, DO, EO and FO, manufactured by Automatic Electric Sales Corp., 1033 West Van Buren Street, Chicago 7, Ill.

Approval No. 161.005/26/0, Sound powered telephone station, selective ringing, common talking, 15 station maximum, pedestal mounting, waterproof, with attached hand generator bell, Drawing No. L-7006 issue 22, Type W.T.P. Model 2, assemblies AO, BO, CO, DO, EO and FO, manufactured by Automatic Electric Sales Corp., 1033 West Van Buren Street, Chicago 7, Ill.

Approval No. 161.005/27/0, Sound powered telephone station, selective ringing, common talking, 15 station maximum, pedestal mounting, waterproof, with attached 6", 8", 10" or 12" hand generator bell, Drawing No. L-7007 issue 24, Type W.T.P. Model 2, assemblies AO, BO, CO, DO, EO, FO, GO, HO, JO, KO, LO and MO, manufactured by Automatic Electric Sales Corp., 1033 West Van Buren Street, Chicago 7, Ill.

Approval No. 161.005/28/0, Sound powered telephone station, selective ringing, common talking, 15 station maximum, pedestal mounting, waterproof, with attached 6", 8", 10" or 12" hand generator bell, Drawing No. L-7008 issue 23, Type W.T.P., Model 2, assemblies AO, BO, CO, DO, EO, FO, GO, HO, JO, KO, LO and MO, manufactured by Automatic Electric Sales Corp., 1033 West Van Buren Street, Chicago 7, Ill.

Approval No. 161.005/29/0, Sound powered Telephone Station Bell, Vibrating, 3", 6" and 8" sizes, waterproof, Drawing No. 20-162-2 Alt. 1, Types 3B, 6B, 8B, 3P, 6P, and 8F, manufactured by Henschel Corp., Amesbury, Mass.

ADDITIONAL AUTHORITY: R. S. 4417a, 4418, 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 392, 404, 1333, 50 U. S. C. 1275; 46 CFR 32.9-4, 63.11, 79.12, 97.14, 116.10.

#### SEARCHLIGHTS FOR MOTOR-LIFEBOATS

Approval No. 161.006/1/0, One-mile-ray, Type N Motor-Lifeboat Searchlight, Drawing No. FA-4615, manufactured by Portable Light Co., Inc., 216 William Street, New York 7, N. Y.

ADDITIONAL AUTHORITY: R. S. 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 1333, 50 U. S. C. 1275; 46 CFR 59.11a.

#### FLASHLIGHTS, ELECTRIC HAND

Approval No. 161.008/1/0, Model F 80, watertight flashlight, electric, hand, two cell, Coast Guard Specification Identification Type I, Size 2, Drawing No. 139-C, dated 29 April 1946, manufactured by Stewart R. Browne Manufacturing Co., 258 Broadway, New York 7, N. Y.

Approval No. 161.008/2/0, Model F 90, watertight flashlight, electric, hand, three cell, Coast Guard Specification Identification Type I, Size 3, Drawing No. 139-C, dated 29 April 1946, manufactured by Stewart R. Browne Manufacturing Co., 258 Broadway, New York 7, N. Y.

Approval No. 161.008/3/0, Model F 81, explosion-proof flashlight, electric, hand, two cell, Coast Guard Specification Identification Type II, Size 2, Drawing No. 139-C, dated 29 April 1946, manufactured by Stewart R. Browne Manufacturing Co., 258 Broadway, New York, N. Y.

Approval No. 161.008/4/0, Model F 91, explosion-proof flashlight, electric, hand, three cell, Coast Guard Specification Identification Type II, Size 3, Drawing No. 139-C, dated 29 April 1946, manufactured by Stewart R. Browne Manufacturing Co., 258 Broadway, New York, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 33.3-2, 59.11, 76.14.

#### SAFETY VALVES

Approval No. 162.001/1/0, Style CI, Ashton pop safety valve, cast iron body, open spring, single lifting lever, bottom guided wing disc, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. 24-B dated 6 September 1924, Drawing No. 59-BC dated 5 October 1926, Catalog No. 41V, 2d Edition, material construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 1 1/2", 2", 2 1/2", 3", 3 1/2", 4" and 4 1/2" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/2/0, Style CS, Ashton pop safety valve, steel body, open spring, single lifting lever, bottom guided wing disc, maximum working pressure 400 p. s. i., saturated steam 450 p. s. i. allowed for sizes up to and including 3 1/2" diameters, ventilated spring cover and sealing cap required on open spring type valve, Drawing No. 24-B dated 6 September 1924, Drawing No. 59-BB dated 5 October 1926, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1 1/2", 2", 2 1/2", 3", 3 1/2", 4" and 4 1/2" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/3/0, Style HO semi-nozzle type, Crosby pop safety valve, medium capacity for general service, cast carbon steel body, forged alloy steel nozzle and disc, carbon steel spring, exposed spring, maximum working pressure 500 p. s. i., maximum temperature 650° F., Drawing No. Style HR-1-A-B-C, series 03 dated 18 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1 1/2", 2", 2 1/2", 3", 3 1/2", 4", 4 1/2" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/4/0, Style HRD-3 semi-nozzle type, Crosby pop safety valve, medium capacity for general service, cast carbon steel body, forged alloy steel nozzle and disc, carbon steel spring, exposed spring, maximum working pressure 500 p. s. i., maximum temperature 650° F., Drawing No. Style HR-1-A-B-C, series 03 dated 18 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1 1/2", 2", 2 1/2", 3", 3 1/2", 4", 4 1/2" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

cast iron body (high capacity), general low pressure saturated steam service, exposed spring, flanged inlet and screwed outlet, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. Style HO-1-B, series 03, dated 19 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 1 1/2", 2", 2 1/2", 3", 3 1/2", 4" and 4 1/2" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/5/0, Style HR-1, semi-nozzle type, Crosby pop safety valve, medium capacity, cast iron body, exposed spring, flanged inlet and screwed outlet, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. Style HR-1-A-B-C, series 03, dated 18 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 1 1/2", 2", 2 1/2", 3", 3 1/2", 4" and 4 1/2" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/6/0, Style HRC-1, semi-nozzle type, Crosby pop safety valve, medium capacity for general service, cast carbon steel body, forged alloy steel nozzle and disc, carbon steel spring, closed bonnet, maximum working pressure 350 p. s. i., similar to Drawing No. Style HR-1-A-B-C, series 03 dated 18 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1 1/2", 2", 2 1/2", 3", 3 1/2", 4", 4 1/2" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/7/0, Style HRD-2, semi-nozzle type, Crosby pop safety valve, medium capacity for general service, cast carbon steel body, forged alloy steel nozzle and disc, carbon steel spring, exposed spring, maximum working pressure 650° F., Drawing No. Style HR-1-A-B-C, series 03 dated 18 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1 1/2", 2", 2 1/2", 3", 3 1/2", 4", 4 1/2" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/8/0, Style HRD-3 semi-nozzle type, Crosby pop safety valve, medium capacity for general service, cast carbon steel body, forged alloy steel nozzle and disc, carbon steel spring, exposed spring, maximum working pressure 650° F., Drawing No. Style HR-1-A-B-C, series 03 dated 18 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1 1/2", 2", 2 1/2", 3", 3 1/2", 4", 4 1/2" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

## NOTICES

log No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ " and 2" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/8/0, Style HRSA-3 semi-nozzle type, Crosby pop safety valve, medium capacity for general service, cast carbon steel body, forged alloy steel nozzle and disc, alloy steel spring, exposed spring, maximum working pressure 500 p. s. i., maximum temperature 750° F., Drawing No. Style HR-1-A-B-C, series 03 dated 18 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ " and 2" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/9/0, Style HN-2 full flanged nozzle type, Crosby pop safety valve, heavy duty for high pressure and high temperature steam service, cast steel body, forged alloy steel nozzle and disc, nickel alloy steel guide and adjusting rings, carbon or alloy steel spring, maximum working pressure 600 p. s. i. for sizes up to and including 3" diameters, 450 p. s. i. for 4" diameters, with "p" orifice, maximum temperature 750° F., alloy steel springs required for maximum temperature of 750° F., Drawing No. Style HN-2, series 33 dated 26 June 1930 Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3", 4" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/10/0, Style HNA-2 full flanged nozzle type, Crosby pop safety valve, general high pressure and high temperature steam service, cast alloy steel body, fitted with carbon steel cooling spool, nozzle and disc forged alloy steel, nickel alloy steel guide and adjusting rings, alloy steel spring, exposed spring, maximum working pressure 600 p. s. i. for sizes up to and including 3" diameters, 450 p. s. i. for 4" diameters, maximum temperature 900° F., Drawing No. Style HNA-2, series 32 dated 19 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3", 4" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/11/0, Style HNA-3 full flanged nozzle type, Crosby pop safety valve, general high pressure and high temperature steam service, cast alloy steel body, fitted with carbon steel cooling spool, forged alloy steel nozzle and disc, nickel alloy steel guide and adjusting rings, alloy steel spring, exposed spring, maximum working pressure 900 p. s. i. for sizes up to and including 3" diameters, 800 p. s. i. for 4" diameters,

maximum temperature 900° F., Drawing No. Style HNA-3, series 33 dated 19 September 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3", 4" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/12/0, Style HNAC-2 full flanged nozzle type, Crosby pop safety valve, high temperature superheated steam service, cast alloy steel body, fitted with cast alloy steel bonnet and cooling spool, forged alloy steel nozzle and disc, nickel alloy steel guide and adjusting rings, alloy steel spring, exposed spring, maximum working pressure 600 p. s. i., maximum temperature 1,000° F., Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/13/0, Style HNAC-3 full flanged nozzle type, Crosby pop safety valve, high temperature superheated steam service, cast alloy steel body, fitted with cast alloy steel bonnet and cooling spool, forged alloy steel nozzle and disc, nickel alloy steel guide and adjusting rings, alloy steel spring, exposed spring, maximum working pressure 900 p. s. i., maximum temperature 1,000° F., Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/14/0, Style HS-1 full flanged nozzle type, Crosby pop safety valve, cast steel body, fully exposed spring, flanged inlet and outlet, forged alloy steel nozzle and disc, nickel alloy guide and adjusting rings, carbon steel spring, maximum working pressure 300 p. s. i., maximum temperature 650° F., Drawing No. Style HS-1-2, series 01 dated 1 May 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/15/0, Style HS-2 full flanged nozzle type, Crosby pop safety valve, cast steel body, fully exposed spring, flanged inlet and outlet, forged alloy steel nozzle and disc, nickel alloy guide and adjusting rings, carbon steel spring, maximum working pressure 450 p. s. i., maximum temperature 650° F., Drawing No. Style HS-1-2, series 01 Dated 1 May 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3",

proved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/16/0, Style HSA-1 full flanged nozzle type, Crosby pop safety valve, general high temperature steam service, cast steel body, fully exposed spring, fitted with cast steel cooling spool, flanged inlet and outlet, forged alloy steel nozzle and disc, nickel alloy guide and adjusting rings, carbon steel spring, maximum working pressure 300 p. s. i., maximum temperature 750° F., Drawing No. HSA-1-2, series 01 dated 1 May 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/17/0, Style HN-3 full flanged nozzle type, Crosby pop safety valve, general high pressure steam service, cast steel body, forged alloy steel nozzle and disc, nickel alloy steel guide and adjusting rings, carbon or alloy steel spring, exposed spring, maximum working pressure 900 p. s. i. for sizes up to and including 3" diameters, 800 p. s. i. for 4" diameters with "p" orifice, maximum temperature 750° F., alloy steel springs required for maximum temperature of 750° F., Drawing No. Style HN-3, series 33 dated 26 June 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3", 4" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/18/0, Style HSAC-1 full flanged nozzle type, Crosby pop safety valve, high capacity for superheated and high temperature steam service, cast alloy steel body, bonnet and cooling spool, forged alloy steel nozzle and disc, nickel alloy guide and adjusting rings, tungsten steel spring, fully exposed spring, maximum working pressure 300 p. s. i., maximum temperature 900° F., Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14 approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/19/0, Style HSAC-2 full flanged nozzle type, Crosby pop safety valve, high capacity for superheated and high temperature steam service, cast alloy steel body, bonnet and cooling spool, forged alloy steel nozzle and disc, nickel alloy guide and adjusting rings, tungsten steel spring, fully exposed spring, maximum working pressure 450 p. s. i., maximum temperature 900° F., Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3",

3½", 4", 4½" diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/20/0, Style HSB full flanged nozzle type, Crosby pop safety valve, cast steel body, fully exposed spring, flanged inlet and outlet, forged alloy steel nozzle and disc, nickel alloy guide and adjusting rings, carbon steel spring, maximum working pressure 600 p. s. i., maximum temperature 650° F., Drawing No. Style HS-1-2, series 01 dated 1 May 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, fitted with orifice "N," approved for size 4" diameter, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/21/0, Style HSB full flanged nozzle type, Crosby pop safety valve, general high temperature steam service, cast steel body, fully exposed spring, fitted with cast steel cooling spool, flanged inlet and outlet, forged alloy steel nozzle and disc, nickel alloy guide and adjusting rings, carbon steel spring, maximum working pressure 600 p. s. i., maximum temperature 750° F., Drawing No. HSA-1-2, series 01 dated 1 May 1930, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, fitted with Orifice "N," approved for size 4" diameter, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/22/0, Style HSBAC full flanged nozzle type, Crosby pop safety valve, high capacity for superheated and high temperature steam service, cast alloy steel body, bonnet and cooling spool, forged alloy steel nozzle and disc, nickel alloy guide and adjusting rings, tungsten steel spring, fully exposed spring, maximum working pressure 600 p. s. i., maximum temperature 900° F., Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, fitted with Orifice "N," approved for size 4" diameter, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/23/0, Style DI, Ashton duplex pop safety valve, cast iron body, open spring and single lifting lever, bottom guided wing disc, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. 64-B dated 14 May 1928, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/24/0, Style DI-10, Ashton duplex pop safety valve, cast iron body, closed head casting and single lift-

ing lever, bottom guided wing disc, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. 64-B dated 14 May 1928, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/25/0, Style DI-11, Ashton pop safety valve, cast iron body, open spring and rocker-shaft lifting lever, bottom guided wing disc, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. 64-B dated 14 May 1928, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by J. E. Lonergan Co., 211 Race Street, Philadelphia 6, Pa.

Approval No. 162.001/26/0, Style DI-12, Ashton pop safety valve, cast iron body, closed head casting and rocker-shaft lever, bottom guided wing disc, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. 64-B dated 5 May 1928, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/27/0, Model D, Lonergan pop safety valve, cast iron body, bronze mounted, 3-piece bolted body, enclosed spring, star disc and bevel seat, cam gear relieving lever, maximum working pressure 30 p. s. i., maximum temperatures 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. E71 dated 11 January 1914, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17, 51.20 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by J. E. Lonergan Co., 211 Race Street, Philadelphia 6, Pa.

Approval No. 162.001/28/0, Model C, Lonergan duplex pop safety valve, cast iron body bronze mounted, twin valves mounted on "Y" base, enclosed spring and twin cam gear relieving levers, 3-piece bolted body, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. C2695, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.20 and 52.14, approved for sizes 1½" and 2" diameters, manufactured by The Lunkenheimer Co., Cincinnati 14, Ohio.

Approval No. 162.001/29/0, Model F, Lonergan duplex pop safety valve, cast iron body, bronze mounted, enclosed spring, rocker-shaft lifting gear, flanged inlet and outlet, full-bore seat, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. C-26100 dated 17 July 1920, Catalog No. 500, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18, 51.20 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by J. E. Lonergan Co., 211 Race Street, Philadelphia 6, Pa.

for sizes 2", 2½", 3", 3½", 4", 4½", diameters, manufactured by J. E. Lonergan Co., 211 Race Street, Philadelphia 6, Pa.

Approval No. 162.001/30/0, Model WT, Lonergan pop safety valve, cast iron body, bronze mounted, enclosed spring, single lifting cam lever, solid body, bolted bonnet, full-bore seat area and wing guided bronze disc, flanged inlet and screwed outlet, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. A-517S, dated 10 June 1925, Bulletin No. 501A dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18, 51.20 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by J. E. Lonergan Co., 211 Race Street, Philadelphia 6, Pa.

Approval No. 162.001/31/0, Model WTD, Lonergan pop safety valve, steel body, bronze mounted, enclosed spring, single lifting lever, solid body, bolted bonnet, full-bore seat area, wing guided bronze disc, flanged inlet and screwed outlet, maximum working pressure 400 p. s. i., maximum temperature 450° F., Drawing No. A-517S dated 10 June 1925, Catalog No. 500, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17, 51.20 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by J. E. Lonergan Co., 211 Race Street, Philadelphia 6, Pa.

Approval No. 162.001/32/0, Figure 629, Lunkenheimer pop safety valve, bronze body, enclosed spring, male screwed inlet and female outlet, wing guided disc, bevel seat, maximum working pressure 250 p. s. i., maximum temperature 450° F., Drawing No. L-6941D dated 30 March 1914, Bulletin M-1 dated February 1939, Circular No. 502-RL dated November 1940, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.20 and 52.14, approved for sizes 1½" and 2" diameters, manufactured by The Lunkenheimer Co., Cincinnati 14, Ohio.

Approval No. 162.001/33/0, Figure 630, Lunkenheimer pop safety valve, cast iron body, bronze mounted, enclosed spring, flanged inlet and female screwed outlet, wing guided disc, bevel seat, maximum

## NOTICES

working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. L-6942C dated 28 April 1914, Bulletin M-1 dated February 1939, Circular No. 502-RL dated November 1940, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by The Lunkenheimer Co., Cincinnati 14, Ohio.

Approval No. 162.001/34/0, Figure 434, Lunkenheimer pop safety valve, cast iron body, bronze mounted, enclosed spring, screwed inlet and outlet, wing guided disc, bevel seat, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. L-6942C dated 28 April 1914, Bulletin M-1, dated February 1939, Circular No. 502-RL dated November 1940, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by The Lunkenheimer Co., Cincinnati 14, Ohio.

Approval No. 162.001/35/0, Figure 752, Lunkenheimer twin pop safety valve, cast iron body, twin valves mounted on flanged "Y" base, flanged inlet and screwed outlet, wing guided disc, bevel seat, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. L-6942C dated 28 April 1914, Bulletin M-1 dated February 1939, Circular No. 502-RL dated November 1940, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for valve seat sizes 2", 2½", 3", 3½", 4" diameters, and "Y" base inlet sizes 3", 3½", 4½", 5", 6" diameters, manufactured by The Lunkenheimer Co., Cincinnati 14, Ohio.

Approval No. 162.001/36/0, Type 1553-A, Consolidated pop safety valve, cast carbon steel body, through seat bushing, open spring, single straight lifting lever, top guided valve spindle, maximum working pressure 900 p. s. i., maximum temperature 650° F., Drawing No. 5855-B dated 30 September 1929, Drawing No. R-5855 dated 5 June 1930, Drawing No. S-6239-A dated 3 October 1939, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1½", 2", 2½", 3", 4" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/37/0, Type 1553-B, Consolidated pop safety valve, cast carbon steel body, through seat bushing, open spring, single straight lifting lever, top guided valve spindle, stainless steel seat bushing, adjusting ring and disc, alloy steel spring, maximum working pressure 900 p. s. i., maximum tempera-

ture 750° F., Drawing No. 5855-B dated 30 September 1929, Drawing No. R-5855 dated 5 June 1930, Drawing No. S-6239-A dated 3 October 1939, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1½", 2", 2½", 3", 4" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/38/0, Type 1553-C, Consolidated pop safety valve, cast alloy steel body, through seat bushing, open spring, single straight lifting lever, top guided valve spindle, stainless steel seat bushing, adjusting ring and disc, alloy steel spring, maximum working pressure 900 p. s. i., maximum temperature 900° F., Drawing No. 5855-B dated 30 September 1929, Drawing No. R-5855 dated 5 June 1930, Drawing No. S-6239-A dated 3 October 1939, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/39/0, Type 1553-D, consolidated pop safety valve, cast alloy steel body, through seat bushing, open spring, single straight lifting lever, top guided valve spindle, stainless steel seat bushing, adjusting ring and disc, alloy steel spring, maximum working pressure 900 p. s. i., maximum temperature 1000° F., Drawing No. 5855-B dated 30 September 1929, Drawing No. R-5855 dated 5 June 1930, Drawing No. S-6239-A dated 3 October 1939, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1½", 2", 2½", 3", 4" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/40/0, Style CSH, Ashton pop safety valve, cast steel body, open spring, single lifting lever, alloy steel bottom guided wing disc, maximum working pressure 600 p. s. i., maximum temperature 750° F., ventilated spring covers and sealing caps are required, Drawing No. 83-B dated 21 September 1932, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1", 2", 2½", 3", 4" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/41/0, Style DS, Ashton duplex pop safety valve, cast steel body, open springs, single lifting lever, bottom guided wing disc, maximum working pressure 400 p. s. i., ventilated spring cover, sealing cap and flanged outlet required, Drawing No. 84-B dated 31 August 1933, Catalog No. 41V, 2d Edition, materials, construction and ca-

pacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/42/0, Style DS-10, Ashton duplex pop safety valve, cast steel body, closed head casting, single lifting lever, bottom guided wing disc, maximum working pressure 400 p. s. i., maximum temperature 450° F., Drawing No. 84-B dated 31 August 1933, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications 51.17 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/43/0, Style DS-11, Ashton duplex pop safety valve, cast steel body, open spring, rocker-shaft lifting lever, bottom guided wing disc, maximum working pressure 400 p. s. i., ventilated spring cover, sealing cap and flanged outlet are required, Drawing No. 84-B dated 31 August 1933, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/44/0, Style DS-12, Ashton duplex pop safety valve, cast steel body, closed head casting, rocker-shaft lifting lever, bottom guided wing disc, maximum working pressure 400 p. s. i., maximum temperature 450° F., Drawing No. 84-B dated 31 August 1933, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 2", 2½", 3", 3½", 4", 4½" diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/45/0, Type 1415, Consolidated pop safety valve, cast steel body, exposed spring, single lifting lever, maximum working pressure 600 p. s. i., maximum temperature 750° F., Drawing No. S-5826-00 dated 29 May 1934, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1½", 2", 2½", 3", 4", 4½" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/46/0, Style HSA-2, full flanged nozzle type, Crosby pop safety valve, general high temperature steam service, cast steel body, fully exposed spring, fitted with cast steel cooling spool, flanged inlet and outlet, forged alloy steel nozzle and disc, nickel alloy guide and adjusting rings, carbon steel spring, maximum working pressure 450 p. s. i., maximum temperature 750° F., Drawing No. HSA-1-2, series 01 dated 1 May 1930, Catalog No. 104 dated November 1942, material, construction and ca-

pacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/47/0, Style CSM-10, Ashton pop safety valve, cast steel body, moderate capacity, closed head casting, single lifting lever, bottom guided wing disc, maximum working pressure 400 p. s. i., maximum temperature  $450^{\circ}$  F., similar to Drawing No. 24-B dated 6 September 1924, Drawing No. 84-B dated 31 August 1933, Types CS and DS-10, respectively, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/48/0, Style CIM, Ashton pop safety valve, cast iron body, moderate capacity (M), open spring, single lifting lever, maximum working pressure 30 p. s. i., maximum temperature  $450^{\circ}$  F., limited to installation on evaporators and heating boilers, not permitted on power boilers, similar to Drawing No. 24-B dated 6 September 1924, Type CI valve, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/49/0, Style CIM-10, Ashton pop safety valve, cast iron body, moderate capacity, closed head casting, single lifting lever, maximum working pressure 30 p. s. i., maximum temperature  $450^{\circ}$  F., limited to installation on evaporators and heating boilers, not permitted on power boilers, similar to Drawing No. 64-B dated 14 May 1928, Type DI-10 valve, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/50/0, Style CSM, Ashton pop safety valve, cast steel body, moderate capacity, open spring, single lifting lever, maximum working pressure 400 p. s. i., similar to Drawing No. 24-B dated 6 September 1924, Type CS valve, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/51/0, Style HH-270, Crosby pop safety valve, bronze body, bevel seated, side outlet, stainless steel spindle, carbon steel spring, screwed inlet and outlet, enclosed spring and bottom guide spindle, maximum working pressure 250 p. s. i., maximum temperature  $406^{\circ}$  F., limited to installation on

evaporators and heating boilers, Drawing No. Style HH-270 dated 25 November 1936, Catalog No. 104 dated November 1942, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.20 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ " diameters, manufactured by Crosby Steam Gage & Valve Co., 165 Broadway, New York 6, N. Y.

Approval No. 162.001/52/0, Style CSH-2, Ashton pop safety valve, cast steel body, open head casting, single lifting lever, suitable for superheater service, altered head casting to allow spring to be raised to fully exposed position, maximum working pressure 600 p. s. i., maximum temperature  $850^{\circ}$  F., ventilated spring cover and sealing cap are required, Drawing No. 91-B, similar to Style CSH as shown in Catalog No. 41V, 2d Edition and file No. 162.001/40/0, material, construction, and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/53/0, 38-SV nozzle type, Foster drum pilot actuated superheater safety valve, Gentzel super jet flow design, superheater outlet safety valve and spring loaded superheater outlet valve combination, cast alloy steel body for temperatures exceeding  $750^{\circ}$  F., throat nozzle and conical insert corrosion-resistant alloy steel, nozzle expansion ring carbon alloy steel, adjusting ring, piston and guide, copper nickel alloy steel, alloy steel spring, maximum allowable working pressure 2500 p. s. i., maximum temperature  $1,000^{\circ}$  F., Bulletin No. 38-SV dated 15 March 1946, Catalog No. 70 dated 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3", 4" diameters, manufactured by Foster Engineering Co., 109 Monroe Street, Newark, N. J.

Approval No. 162.001/54/0, Style CS-100, Ashton pop safety valve, cast steel body, open spring, single lifting lever, bottom guided wing disc, maximum working pressure 400 p. s. i., 450 p. s. i. allowed for sizes up to and including  $3\frac{1}{2}$ " diameters, maximum temperature  $650^{\circ}$  F., ventilated spring cover and flanged outlets are required, Drawing No. 102-B dated 19 June 1940, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by The Ashton Valve Co., 161-179 First Street, Cambridge 42, Mass.

Approval No. 162.001/55/0, Type 1531, Consolidated drum pilot actuated superheater pressure loaded safety valve and spring loaded drum pilot valve, cast alloy steel body, forged alloy steel feather and seat, alloy steel spring, maximum working pressure 1,500 p. s. i., maximum temperature  $1,000^{\circ}$  F., Drawing No. R-6211-N dated 2 October 1941, Drawing No. R-6181-BE dated 3 October 1941, Draw-

ing No. R-6240-A dated 2 October 1939, Drawing No. R-6208 dated 8 November 1938, Brochure "Instructions for Installation and Repairs of Type 1531 Drum Pilot Actuated Superheater Valve" dated November 1939, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ",  $2\frac{1}{2}$ ", diameters, pilot, and  $2\frac{1}{2}$ " diameter superheater safety valve, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/56/0, Type 1451, Consolidated pop safety valve, bronze body, screwed side outlet and flanged and screwed inlet, enclosed spring, single lifting lever, maximum working pressure 150 p. s. i., maximum temperature  $366^{\circ}$  F., designed for use on evaporators and heating boilers, Drawing No. C-74 dated 22 July 1941, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.20 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ " diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/57/0, Type S, Coale marine pop safety valve, cast steel body, exposed spring, single relieving lever, maximum working pressure 300 p. s. i., maximum temperature  $750^{\circ}$  F., suitable for superheated steam, Drawing No. 815 Revised 7 October 1941, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3" diameters, manufactured by Coale Muffler & Safety Valve Co., 325 East Oliver Street, Baltimore 2, Md.

Approval No. 162.001/58/0, Type M, Coale heavy duty marine pop safety valve, bronze body, enclosed spring, single lifting lever, maximum working pressure 300 p. s. i., maximum temperature  $450^{\circ}$  F., Drawing No. 818 dated 27 November 1941, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.20 and 52.14, approved for sizes 2",  $2\frac{1}{2}$ " diameters, manufactured by Coale Muffler & Safety Valve Co., 325 East Oliver Street, Baltimore 2, Md.

Approval No. 162.001/59/0, Type M, Coale heavy duty marine pop safety valve, cast steel body, enclosed spring, single lifting lever, maximum working pressure 300 p. s. i., maximum temperature  $450^{\circ}$  F., Drawing No. 817-A dated 17 November 1941, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 3",  $3\frac{1}{2}$ ", 4",  $4\frac{1}{2}$ " diameters, manufactured by Coale Muffler & Safety Valve Co., 325 East Oliver Street, Baltimore 2, Md.

Approval No. 162.001/60/0, Type 1426, Consolidated duplex pop safety valve, cast steel body, exposed spring, single lifting lever, bottom guided wing disc, maximum working pressure 450 p. s. i., maximum temperature  $650^{\circ}$  F., Drawing

No. R-6174 dated 1 September 1937, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 2", 2½", 3", 4" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/61/0, Type 34-SO, Texsteam pop safety valve, bronze body and trim, screwed inlet and outlet, top guided spindle, exposed spring, maximum working pressure 300 p. s. i., maximum temperature 450° F., Drawing No. 325 dated 26 February 1941, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.20 and 52.14, approved for sizes 1½", 2", 2½" diameters, manufactured by Texsteam Corp., Houston 11, Tex.

Approval No. 162.001/62/0, Type 1415-W, Consolidated pop safety valve, welded joint between inlet flange, body and bushing, cast steel body, bottom guided feather disc, exposed spring, single lifting lever, maximum working pressure 600 p. s. i., maximum temperature 850° F., Drawing No. S-6335 dated 2 December 1942, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1½", 2", 2½", 3", 4" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/63/0, Type 1426-M Consolidated duplex pop safety valve, cast steel body, exposed spring, single lifting lever, bottom guided wing disc, maximum working pressure 250 p. s. i., maximum temperature 406° F., similar to 1426, except bronze substituted for nickel and stainless steel for seat bushing, adjusting ring, feather top ring and compression screw, Drawing No. F-6285-G, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 2", 2½", 3", 4", diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/64/0, Type 1515-B Consolidated pop safety valve, cast steel body, bushing seat welded to body, bottom guided feather disc, exposed spring, single lifting lever, maximum working pressure 600 p. s. i., maximum temperature 750° F., Drawing No. S-6343 dated 27 September 1943, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1½", 2", 2½", 3" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/65/0, Type 1515-C, Consolidated pop safety valve,

cast alloy steel body, bushing seat welded to body, exposed spring, single lifting lever, bottom guided feather disc, maximum working pressure 600 p. s. i., maximum temperature 900° F., Drawing No. S-6343 dated 27 September 1943, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1½", 2", 2½", 3" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/66/0, Type 1515-A, Consolidated pop safety valve, cast steel body, bushing seat welded to body, bottom guided feather disc, exposed spring, single lifting lever, maximum working pressure 600 p. s. i., maximum temperature 650° F., Drawing No. S-6343 dated 27 September 1943, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17 and 52.14, approved for sizes 1½", 2", 2½", 3" diameters, manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/67/0, Style DS-100, Ashton duplex pop safety valve, cast steel body, open spring, single lifting lever, bottom guided wing disc, maximum working pressure 600 p. s. i., ventilated spring cover and sealing cap are required, Drawing No. 336-B dated 1 September 1944, Catalog No. 41V, 2d Edition, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations 51.17, 51.20 and 52.14. Approved for pipe inlet sizes: 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Commercial Avenue, Palisades Park, N. J.

Approval No. 162.001/68/0, Model ODP, Lonergan pop safety valve, bronze body, enclosed spring, single lifting lever, bottom guided wing disc, bronze disc and seat, cadmium plated steel spring, flanged inlet, screwed outlet, maximum working pressure 300 p. s. i., maximum temperature 450° F., Drawing No. B-1277-S dated 20 September 1941. Revised 8 January 1945, Bulletin No. 501-A dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.20 and 52.14, approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/69/0, Type 1411, Consolidated pop safety valve, cast iron body, exposed spring, bottom guided feather disc, maximum working pressure 30 p. s. i., maximum temperature 450° F., limited to installation on evaporators and heating boilers, not permitted on power boilers, Drawing No. S-5891-DA dated 15 July 1943, Catalog No. 1416 dated June 1944, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.18 and 52.14, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/70/0, Figure 653, Lunkenheimer modified duplex pop safety valve, cast steel body, enclosed spring, flanged inlet and outlet, bottom guided wing disc, steam bronze disc, nickel alloy steel seat, cadmium plated steel spring, maximum working pressure 300 p. s. i., maximum temperature 450° F., Drawing No. L-8593 dated 31 January 1946, Drawing No. M-2029 dated 11 April 1946, Bulletin M-1 dated February 1939, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.17, 51.20, and 52.14, approved for "Y" yoke inlet sizes 3", 3½", 4½", 5", 6" diameters and valve seat diameters 2", 2½", 3", 3½", 4", manufactured by The Lunkenheimer Co., Cincinnati 14, Ohio.

Safety Valve Division, Elias Street, Bridgeport 2, Conn.

Approval No. 162.001/71/0, Type 2399, Farris pop safety valve, cast steel body, open spring, flanged inlet and outlet, bottom guided wing disc, stainless steel disc, stainless steel valve seat, alloy steel spring. Maximum working pressure 600 p. s. i., maximum temperature 850° F., when fitted with carbon steel spring, maximum temperature 650° F., Drawing No. 1896-B, dated 10 January 1944. Material, construction, and capacities to conform to Coast Guard Marine Engineering Regulations 51.17, 51.20 and 52.14. Approved for pipe inlet sizes: 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Commercial Avenue, Palisades Park, N. J.

Approval No. 162.001/72/0, Type 2575A, Farris pop safety valve, full nozzle, carbon steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, carbon steel spring, primary service pressure rating 300 p. s. i., maximum temperature 650° F., Drawing No. 1983-B-C. G., dated 10 September 1945. Material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14. Approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/73/0, Type 2575B, Farris pop safety valve, full nozzle, carbon steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, tungsten steel spring, primary service pressure rating 300 p. s. i., maximum temperature 750° F., Drawing No. 1983-B-C. G., dated 10 September 1945. Material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14. Approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/74/0, Type 2575C, Farris pop safety valve, full nozzle, alloy steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, tungsten steel spring, primary service pressure rating 300 p. s. i., maximum temperature 900° F., Drawing No. 1983-B-C. G., dated 10 September 1945. Material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14. Ap-

proved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/75/0, Type 2576A, Farris pop safety valve, full nozzle, carbon steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, carbon steel spring, primary service pressure rating 600 p. s. i., maximum temperature 900° F., drawing No. 1983-B-C.G., dated 10 September 1945, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14. Approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/76/0, Type 2576B, Farris pop safety valve, full nozzle, carbon steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, tungsten steel spring, primary service pressure rating 600 p. s. i., maximum temperature 650° F. Drawing No. 1983-B-C.G., dated 10 September 1945, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14. Approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/77/0, Type 2576C, Farris pop safety valve, full nozzle, alloy steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, tungsten steel spring, primary service pressure rating 600 p. s. i., maximum temperature 900° F., drawing No. 1983-B-C.G., dated 10 September 1945, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/78/0, Type 2577A, Farris pop safety valve, full nozzle, carbon steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, carbon steel spring, primary service pressure rating 600 p. s. i., maximum temperature 650° F., drawing No. 1983-B-C.G., dated 10 September 1945, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications 51.15, 51.17, and 52.14, approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/79/0, Type 2577B, Farris pop safety valve, full nozzle, carbon steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, tungsten steel spring, primary service pressure rating 600 p. s. i., maximum temperature 750° F., drawing No. 1983-B-C.G., dated 10 September 1945, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/80/0, Type 2577C, Farris pop safety valve, full nozzle, alloy steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, tungsten steel spring, primary service pressure rating 600 p. s. i., maximum temperature 900° F., drawing No. 1983-B-C.G., dated 10 September 1945, material construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17 and 52.14, approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/81/0, Type 2578A, Farris pop safety valve, full nozzle, carbon steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, carbon steel spring, primary service pressure rating 900 p. s. i., maximum temperature 650° F., drawing No. 1983-B-C.G., dated 10 September 1945, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17, and 52.14, approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/82/0, Type 2578B, Farris pop safety valve, full nozzle, carbon steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, tungsten steel spring, primary service pressure rating 900 p. s. i., maximum temperature 750° F., drawing No. 1983-B-C.G., dated 10 September 1945, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications 51.15, 51.17 and 52.14, approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

Approval No. 162.001/83/0, Type 2578C, Farris pop safety valve, full nozzle, alloy steel body, exposed spring, fitted with ventilated spring cover, flanged inlet and outlet, tungsten steel spring, primary service pressure rating 900 p. s. i., maximum temperature 900° F., drawing No. 1983-B-C.G., dated 10 September 1945, material, construction and capacities to conform to Coast Guard Marine Engineering Regulations and Material Specifications, 51.15, 51.17, and 52.14, approved for valve inlet sizes 1½", 2", 2½", 3" and 4", manufactured by Farris Engineering Co., Palisades Park, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a, 4418, 4426, 4433, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 392, 404, 411, 1333, 50 U. S. C. 1275; 46 CFR 52.14-2.

#### BOILERS, POWER

Approval No. 162.002/1/0, Acme Boiler and Tank Co. water tube boiler, sectional header type, cross drum straight tube, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Acme Boiler & Tank Co., Salmon Bay Terminal, Seattle, Wash.

Approval No. 162.002/2/0, Acme Boiler and Tank Co. fire tube boiler, Scotch marine type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Acme Boiler & Tank Co., Salmon Bay Terminal, Seattle, Wash.

construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Acme Boiler & Tank Co., Salmon Bay Terminal, Seattle, Wash.

Approval No. 162.002/3/0, Acme Boiler and Tank Co. fire tube boiler, vertical tubular type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Acme Boiler & Tank Co., Salmon Bay Terminal, Seattle, Wash.

Approval No. 162.002/4/0, Acme Boiler Works fire tube boiler, Western River type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Acme Boiler Works Co., Gallipolis, Ohio.

Approval No. 162.002/5/0, Acme Boiler Works fire tube boiler, vertical tubular type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Acme Boiler Works Co., Gallipolis, Ohio.

Approval No. 162.002/6/0, Almy water tube boiler, types A, B, and C, single section water tubes connected to top and bottom manifolds, Catalog 1932 edition "Almy Sectional Water Tube Boilers", material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Almy Water Tube Boiler Co., 184 Allen Avenue, Providence, R. I.

Approval No. 162.002/7/0, Almy water tube boiler, type D, single firebox design, double sectional water tubes, Catalog 1932 edition "Almy Sectional Water Tube Boilers", material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Almy Water Tube Boiler Co., 184 Allen Avenue, Providence, R. I.

Approval No. 162.002/8/0, Almy water tube boiler, type E, double firebox design, double sectional water tubes, Catalog 1932 edition "Almy Sectional Water Tube Boilers", material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Almy Water Tube Boiler Co., 184 Allen Avenue, Providence, R. I.

Approval No. 162.002/9/0, Almy water tube boiler, type HA, single section water tubes connected to top and bottom manifolds, designed for auxiliary and heating boilers, heating surface 155 sq. ft., Dwg. No. 891-935-1078 dated 8 November 1924, Catalog 1932 edition, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications,

## NOTICES

Parts 51, 52, and 56, approved for type design only, manufactured by Almy Water Tube Boiler Co., 184 Allen Avenue, Providence, R. I.

Approval No. 162.002/10/0, Almy water tube boiler, type Z, sectional water tube, internal steam drum, "Z" section water tubes, Catalog 1932 edition and Dwg. No. "Z" Type Boiler dated January 1911, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56 approved for type design only, manufactured by Almy Water Tube Boiler Co., 184 Allen Avenue, Providence, R. I.

Approval No. 162.002/11/0, Almy water tube boiler, type Z, modified, sectional water tube, internal steam drum, "Z" section water tubes, Catalog 1932 edition and Dwg. No. "Z" Type Boiler dated 15 March 1939, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Almy Water Tube Boiler Co., 184 Allen Avenue, Providence, R. I.

Approval No. 162.002/12/0, American Shipbuilding fire tube boiler, Scotch marine type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by American Shipbuilding Co., 1010 Terminal Tower, Cleveland, Ohio.

Approval No. 162.002/13/0, Babcock and Wilcox water tube boiler, sectional header type, cross drum, straight tube, forged steel sinuous headers, single and triple pass boilers, similar to Dwg. No. ML-261635 and No. ML-250321, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by The Babcock & Wilcox Co., 85 Liberty Street, New York, N. Y.

Approval No. 162.002/14/0, Babcock & Wilcox water tube boiler, 2-drum bent tube type, similar to Dwg. No. ML-253262 dated 17 November 1942, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by The Babcock & Wilcox Co., 85 Liberty Street, New York, N. Y.

Approval No. 162.002/15/0, Babcock and Wilcox water tube boiler, 3-drum bent tube type, similar to Dwg. No. MX-229115 dated 10 December 1938, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by The Babcock & Wilcox Co., 85 Liberty Street, New York, N. Y.

Approval No. 162.002/16/0, Babcock and Wilcox water tube boiler, divided-furnace single uptake marine boiler, 4-drum bent tube type, similar to Dwg. Nos. ML-252801 and ML-252802 dated 2 April 1942, material, design, and construction in conformance with U. S.

Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by The Babcock & Wilcox Co., 85 Liberty Street, New York, N. Y.

Approval No. 162.002/17/0, Wm. Bros. Mfg. Co. fire tube boiler, western river type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Wm. Bros. Manufacturing Co., 43 Wilder Street, Minneapolis, Minn.

Approval No. 162.002/18/0, Brown Bros. fire tube boiler, horizontal tubular, western river type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Brown Bros. Boiler & Sheet Metal Works, 1200 South Third Street, Paducah, Ky.

Approval No. 162.002/19/0, Combustion Engineering water tube boiler, sectional header type SM, cross drum, straight tube, Dwg. Nos. SB-7101-0, SC-7401-0, and SC-7400-1 dated 14 February 1931, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Combustion Engineering Co., Inc., 200 Madison Avenue, New York 16, N. Y.

Approval No. 162.002/20/0, Combustion Engineering water tube boiler, 2-drum bent tube, type V2M, similar to Dwg. No. E-161-101-0 dated 7 April 1943, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Combustion Engineering Co., Inc., 200 Madison Avenue, New York 16, N. Y.

Approval No. 162.002/21/0, Combustion Engineering water tube boiler, 3-drum bent tube, type V3M, similar to Dwg. No. E-161-393 dated 25 November 1944, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Combustion Engineering Co., Inc., 200 Madison Avenue, New York 16, N. Y.

Approval No. 162.002/22/0, Combustion Engineering water tube boiler, oil fired and waste heat types, forced circulation (La Mont Patent), similar to Dwg. No. 161-520 dated 25 July 1946 and No. E-161-518 dated 8 May 1946, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Combustion Engineering Co., Inc., 200 Madison Avenue, New York 16, N. Y.

Approval No. 162.002/23/0, Dubuque fire tube boiler, western river type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by

tured by Dubuque Boat & Boiler Co., Dubuque, Iowa.

Approval No. 162.002/24/0, Edge Moor water tube boiler, sectional header type, cross drum, straight tube, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Edge Moor Iron Works, Edge Moor, Delaware.

Approval No. 162.002/25/0, Erie City fire tube boiler, vertical tubular type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Erie City Iron Works, Erie, Pa.

Approval No. 162.002/26/0, Foster Wheeler water tube boiler, sectional header type, similar to Dwg. Nos. E-161-152-9 dated 4 September 1943, NY-400-10 dated 20 October 1936, PMB-311-52 dated 4 August 1931, and PMB-310-26-A dated 15 October 1931, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Foster Wheeler Corp., 165 Broadway, New York 6, N. Y.

Approval No. 162.002/27/0, Foster Wheeler water tube boiler, 2-drum bent tube type, Nelis water tube boiler, low head river type, Dwg. Nos. NYMB-261-22 dated 22 November 1926 and ND-6142-0 dated 24 January 1931, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Foster Wheeler Corp., 165 Broadway, New York 6, N. Y.

Approval No. 162.002/28/0, Foster Wheeler water tube boiler, 2-drum bent tube type D, similar to Dwg. Nos. NY-450-21 dated 29 January 1945, NY-450-538-H dated 25 January 1946, and PD-350-12-I dated 13 November 1934, revised 29 April 1935, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Foster Wheeler Corp., 165 Broadway, New York 6, N. Y.

Approval No. 162.002/29/0, Foster Wheeler water tube boiler, 3-drum bent tube type A, similar to Dwg. Nos. NY-440-483 dated 16 December 1944 and PMB-311-19-B dated 13 March 1931, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Foster Wheeler Corp., 165 Broadway, New York 6, N. Y.

Approval No. 162.002/30/0, Foster Wheeler water tube boiler, waste heat type, heating elements consist of seamless boiler tubing covered with cast iron rings, Dwg. No. D-285-75 dated 20 January 1929, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations

and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Foster Wheeler Corp., 165 Broadway, New York 6, N. Y.

Approval No. 162.002/31/0, Foster Wheeler water tube boiler, waste heat type, 2-drum bent tube, similar to Dwg. No. NY-390-20-A dated 23 January 1939 and revised 14 February 1939, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Foster Wheeler Corp., 165 Broadway, New York 6, N. Y.

Approval No. 162.002/32/0, Cyclotherm steam generator, type MC-80, horizontal fire tube steam boiler, welded shell and firebox, Dwg. Nos. C-549-E dated 15 June 1944 and C-551-D dated 16 June 1944, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Ames Iron Works Division of General Furnaces Corp., 90 Broad Street, New York 4, N. Y.

Approval No. 162.002/33/0, Ames fire tube boiler, western river type, constructed with three parallel longitudinal shells and one common steam and water drum, and two common mud drums, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Ames Iron Works Division of General Furnaces Corp., 90 Broad Street, New York 4, N. Y.

Approval No. 162.002/34/0, Great Lakes fire tube boiler, Scotch marine type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52 and 56, approved for type design only, manufactured by Great Lakes Engineering Works, River Rouge, Mich.

Approval No. 162.002/35/0, Hamburg fire tube boiler, vertical tubular type, similar to Dwg. dated 14 December 1939, vertical fire tube boiler 48" diameter and 9'-6" high, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Hamburg Boiler Works, Inc., Hamburg, Pa.

Approval No. 162.002/36/0, Heilman water tube boiler, 2-drum bent tube type, Badenhausen design, automatic oil fired furnace, Dwg. Nos. 240N1 issue 3 dated 25 June 1945, H 111-452 issue 3 revised 6 November 1946, H 115-462 issue 1 revised 6 November 1946, material, design and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Heilman Boiler Works, Front and Lenden Streets, Allentown, Pa.

Approval No. 162.002/37/0, International fire tube boiler, vertical tubular type, similar to Dwg. No. 32-5443 dated 28 December 1943, 90" x 17" x 9 1/2"

boiler, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by International Boiler Works, 1 Birch Street, East Stroudsburg, Pa.

Approval No. 162.002/38/0, International fire tube boiler, western river type, similar to Dwg. No. 32-5443 dated 28 December 1943, 90" x 17" x 9 1/2" boiler, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by International Boiler Works, 1 Birch Street, East Stroudsburg, Pa.

Approval No. 162.002/39/0, International forced recirculator vertical water tube boiler, type L. F. R., spacial heating coils and separate vertical steam drum, riveted construction, Dwg. Nos. 57-5349 revised 23 June 1943, and 57-5341, 18 March 1943, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by International Boiler Works, 1 Birch Street, East Stroudsburg, Pa.

Approval No. 162.002/40/0, International Scotch marine boiler, La Mont forced recirculation, type F. R. 35, horizontal fire tubes, riveted construction, Dwg. No. 57-5284 dated 12 February 1943, revised, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by International Boiler Works, 1 Birch Street, East Stroudsburg, Pa.

Approval No. 162.002/41/0, Jensen fire tube boiler, western river type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Peter Jensen & Co., 23 East 18th Street, New Albany, Ind.

Approval No. 162.002/42/0, Johnson fire tube boiler, Scotch marine type, triple furnace wet back boiler, similar to Dwg. No. 343 dated 11 July 1942, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Johnson Bros., Ferrysville, Mich.

Approval No. 162.002/43/0, Jones & Laughlin fire tube boiler, western river type, material, design, and construction in conformance with U. S. Coast Guard Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Jones & Laughlin Steel Corp., Marine Ways, Floreffe, Pa.

Approval No. 162.002/44/0, Manitowoc Shipbuilding Co. fire tube boiler, Scotch marine type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Manitowoc Shipbuilding Co., Manitowoc, Wis.

Approval No. 162.002/45/0, Maxim waste heat boiler, Model MSCH, size 84-5000, heat recovery silencer type, fitted with silencer and spark arrestor, steel welded construction, Dwg. Nos. B-495 revised 2 November 1945 and B-693 revised 2 November 1945, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Maxim Silencer Co., Hartford, Conn.

Approval No. 162.002/46/0, Mexley water tube boiler, miniature steam generator, oil fired, vertical inner and outer tubes forming water space, spherical heating coil located inside inner tube in combustion space, used as auxiliary boiler, Dwg. No. size No. 4, dated 24 January 1933, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Mexley Oil Burning Equipment, Hoquiam, Wash.

Approval No. 162.002/47/0, Mexley water tube boiler, miniature steam generator, oil fired, vertical inner and outer tubes forming water space, spherical heating coil located inside inner tube in combustion space, used as auxiliary boiler, Dwg. No. size No. 5 dated 24 January 1933, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Mexley Oil Burning Equipment, Hoquiam, Wash.

Approval No. 161.002/48/0, Murray fire tube boiler, vertical tubular type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Murray Iron Works, 1106 Washington Street, Burlington, Iowa.

Approval No. 162.002/49/0, Murray fire tube boiler, Scotch marine type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Murray Iron Works, 1106 Washington Street, Burlington, Iowa.

Approval No. 162.002/50/0, Murray fire tube boilers, western river type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Murray Iron Works, 1106 Washington Street, Burlington, Iowa.

Approval No. 162.002/51/0, Ludlum water tube boiler, 3-drum bent tube type, one steam and water drum and two bottom water drums, Dwg. No. 4004, originally named Calven Boiler, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Ludlum

## NOTICES

tured by New York Engineering Co., 75 West Street, New York, N. Y.

Approval No. 162.002/52/0, Ludlum water tube boiler, type B, 2-drum bent tube, Dwg. Nos. 2-1630-1 and 2-1630-4, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by New York Engineering Co., 75 West Street, New York, N. Y.

Approval No. 162.002/53/0, Nooter fire tube boiler, western river type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by John Nooter Boiler Works Co., 1400 South Second Street, St. Louis, Mo.

Approval No. 162.002/54/0, O'Brien water tube boiler, box header stay-bolted type, straight tube, double longitudinal drums, similar to Heine Boiler, Dwg. No. W-161-D and W-166-D dated 27 July 1926, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Part 51, 52, and 56, approved for type design only, manufactured by John O'Brien Boiler Works Co., 318 North Eighth Street, St. Louis 1, Mo.

Approval No. 162.002/55/0, Oil City fire tube boiler, Scotch marine type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Oil City Iron Works, Oil City, Pa.

Approval No. 162.002/56/0, Page water tube boiler, sectional header type, single cross drum, Dwg. No. 790-I dated 4 November 1918, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Page Boiler Co., 815 West Webster Avenue, Chicago, Ill.

Approval No. 162.002/57/0, Pearson fire tube boiler, western river type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Pearson Manufacturing Co., 800 Beaver Avenue, Pittsburgh, Pa.

Approval No. 162.002/58/0, Porter fire tube boiler, western river type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by H. K. Porter Co., Oliver Building, Pittsburgh, Pa.

Approval No. 162.002/59/0, Springfield water tube boiler, sectional cast steel header type, horizontal cross drum, similar to Dwg. Nos. ML-250321-2, D-732 5 486, D-585-4914, D-1338-8885, D-1337-8882, and A-400-9034, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Springfield Boiler Co., Nineteenth and Capitol Avenue, Springfield, Ill.

Approval No. 162.002/60/0, Sun fire tube boiler, single ended Scotch marine type, welded S. E. Scotch boiler, 15'-3" I. D. x 11'-7" overheads, similar to Dwg. No. G-6372-1 dated 27 November 1940, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Sun Shipbuilding and Drydock Co., Chester, Pa.

Approval No. 162.002/61/0, Thompson fire tube boiler, vertical tubular type, similar to Dwg. No. A-1022 dated 22 January 1943, #812 (48" x 96") plain vertical boiler, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Thompson Boiler Works, 1000 North Broadway, Los Angeles, Calif.

Approval No. 162.002/62/0, Titusville fire tube boiler, vertical tubular type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by The Titusville Iron Works Co., Division of Struthers-Wells Corp., 1938 Reed Street, Titusville, Pa.

Approval No. 162.002/63/0, Titusville fire tube boiler, Scotch marine type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by The Titusville Iron Works Co., Division of Struthers-Wells Corp., 1938 Reed Street, Titusville, Pa.

Approval No. 162.002/64/0, Titusville fire tube boiler, western river type, four-drum, double flue design, combination welded and riveted construction, Dwg. No. E-6754-A dated 14 March 1945, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Vapor Car Heating Co., 80 East Jackson Boulevard, Chicago, Ill.

Approval No. 162.002/65/0, Toledo Shipbuilding Co. fire tube boiler, Scotch Marine type, similar to Dwg. No. 10-1-1624 dated November 1939, S. E. Scotch boiler 14'-6" x 12'-6", material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by The Toledo Shipbuilding Co., Inc., Toledo, Ohio.

Approval No. 162.002/66/0, Union Iron Works fire tube boiler, Scotch marine type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Union Iron Works, 1515 Cascade Street, Erie, Pa.

Approval No. 162.002/67/0, Union Iron Works fire tube boiler, vertical tubular

type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Union Iron Works, 1515 Cascade Street, Erie, Pa.

Approval No. 162.002/68/0, Union marine steel water tube auxiliary boiler, type M, two-drum, bent tube type, boiler consists of steam drum, mud drum, fitted with bent down-comer and generator tubes, Dwg. No. P. S. 3488 dated 12 October 1943, evaporation 9,000 lb./hr., h. p. 140, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Union Iron Works, 1515 Cascade Street, Erie, Pa.

Approval No. 162.002/69/0, Union fire tube boiler, western river type, four-drum, two flues per drum, Dwg. No. BTD 2339-1 dated 26 September 1944 and revised 28 November 1944, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Union Iron Works, 1515 Cascade Street, Erie, Pa.

Approval No. 162.002/70/0, Vapor-Clarkson steam boiler, forced recirculation water tube boiler, spiral economizer and steam generating coils, fitted with separate condensate and steam chamber, self-contained "package" steam generator, welded steel plate construction, Dwg. No. 60057A dated 24 May 1943 and Catalog No. 1010, approved for boiler sizes 500 lb./hr. to 3,000 lb./hr. steam generating capacity, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Vapor Car Heating Co., 80 East Jackson Boulevard, Chicago, Ill.

Approval No. 162.002/71/0, Vapor-Clarkson steam boiler, type No. DA-230-5105, forced recirculation water tube boiler, spiral economizer and steam generating coils, fitted with separate condensate and steam chamber, self-contained "package" steam generator, welded steel plate construction, Dwg. No. 60026 dated 5 August 1942, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Vapor Car Heating Co., 80 East Jackson Boulevard, Chicago, Ill.

Approval No. 162.002/72/0, Vogt water tube boiler, sectional header type, similar to Dwg. No. X-1826-C-3 dated 11 June 1941 and No. X-1874-1H revised 31 July 1944, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Henry Vogt Machine Co., Tenth and Ormsby Streets, Louisville, Ky.

Approval No. 162.002/73/0, Wiches water tube boiler, 3-drum bent tube, type A, welded, similar to Dwg. Nos. 43651-

Z/15 dated 15 March 1943 and 43560-Z/15 dated 11 November 1942, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by The Witches Boiler Co., Saginaw, Mich.

Approval No. 162.002/74/0, Winona fire tube boiler, western river type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Winona Boiler Co., Winona, Minn.

Approval No. 162.002/75/0, Winona fire tube boiler, vertical tubular type, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Winona Boiler Co., Winona, Minn.

Approval No. 162.002/76/0, Acme Boiler & Tank Co. water tube boiler, Model No. MA-101, auxiliary boiler, cross drum, straight tube header type, steel, welded, Dwg. No. B30 dated 23 April 1947, material, design, and fabrication in accordance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Acme Boiler & Tank Co., Salmon Bay Terminal, Seattle, Wash.

ADDITIONAL AUTHORITY: R. S. 4417a, 4418, 4433, 4434, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (a), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 392, 411, 412, 1333, 50 U. S. C. 1275; 46 CFR Parts 51, 52, and 56.

#### BOILERS, HEATING

Approval No. 162.003/1/0, Agitair hot water generator, marine hot water heating boiler, water tube type, steel plate fabricated, weight 300 lbs. wet, size 16" diameter base, 48" over-all height, Dwg. Nos. WH-103A dated 21 May 1942 and WH-100 revised 21 May 1942 and Air Devices, Inc., Bulletin "Agitair" marine hot water generator, radiation 400 to 1,000 sq. ft. hot water at 180° F. boiler water temperature, maximum working pressure 30 p. s. i., manufactured by Air Devices, Inc., 17 East 42d Street, New York 17, N. Y.

Approval No. 162.003/2/0, Models "Ideal" and "Arco" heating boiler, cast iron sectional and round firepot construction, Catalog No. 605 revised October 1941, maximum working pressure 15 p. s. i., manufactured by American Radiator & Standard Sanitary Corp., Bessemer Building, Pittsburgh 22, Pa.

Approval No. 162.003/3/0, "Basmor" heating boiler, cast iron construction, maximum working pressure 15 p. s. i., manufactured by Bastian-Morley Co., Inc., 300 Truesdell, La Porte, Ind.

Approval No. 162.003/4/0, Class OB hot water boiler, vertical fire tubes, welded shell plate, Dwg. No. G-235 dated 23 April 1943, Material List dated 26 April 1943, and Dwg. No. G-243 dated 1 March 1943, approved for boiler sizes 24, 30, and 36, maximum working pressure 30 p. s. i., manufactured by Bethlehem Foundry & Machine Co., Bethlehem, Pa.

Approval No. 162.003/5/0, Scotch marine type heating boiler, fire tube, Dwg.

No. 2174-A and Bulletin describing Bigelow Scotch Type Heating Boiler, maximum working pressure 15 p. s. i., manufactured by The Bigelow Co., 100 River Road, New Haven, Conn.

Approval No. 162.003/6/0, Columbia heating boiler, cast iron construction, boiler models: 19" Oilsaver, No. 70 Series Spitfire, oil-fired, No. 50 Series Coalsaver Jr., No. 100 Series Coalsaver, and No. 200 and 300 Series Coalsaver, maximum working pressure 15 p. s. i., manufactured by Columbia Radiator Co., McKeesport, Pa.

Approval No. 162.003/7/0, Crane sectional cast iron heating boiler, Dwg. No. 16313, maximum working pressure 15 p. s. i., manufactured by Crane Co., 836 South Michigan Avenue, Chicago 5, Ill.

Approval No. 162.003/8/0, Series No. 10 and 110 cast iron heating boiler, Circular Nos. AD-1316 and AD-1319, maximum working pressure 15 p. s. i., manufactured by Crane Co., 836 South Michigan Avenue, Chicago 5, Ill.

Approval No. 162.003/9/0, Model No. 16 cast iron heating boiler, sustained heat, maximum working pressure 15 p. s. i., manufactured by Crane Co., 836 South Michigan Avenue, Chicago 5, Ill.

Approval No. 162.003/10/0, Fin type cast iron heating boiler, maximum working pressure 15 p. s. i., manufactured by Crane Co., 836 South Michigan Avenue, Chicago 5, Ill.

Approval No. 162.003/11/0, Model No. 14 cast iron heating boiler, maximum working pressure 15 p. s. i., manufactured by Crane Co., 836 South Michigan Avenue, Chicago 5, Ill.

Approval No. 162.003/12/0, Model DH and DL Delco domestic heating boiler, sectional cast iron construction, fin type oil fired, Catalog No. DEP-327R-SM-8-37-(17), approved models DH-3, DH-4, DL-5, and DL-6, maximum working pressure 15 p. s. i., manufactured by Delco Appliance Division, General Motors Corp., Lyell and Whitney Streets, Rochester, N. Y.

Approval No. 162.003/13/0, Model DE Delco domestic heating boiler, sectional cast iron construction, fin type, approved models DB-3, DB-4, and DB-5, maximum working pressure 15 p. s. i., manufactured by Delco Appliance Division, General Motors Corp., Lyell and Whitney Streets, Rochester, N. Y.

Approval No. 162.003/14/0, Vortex waste heat vertical heating boiler, heat recovery silencer type, welded inner and outer shell plate, Dwg. No. 1975 dated 10 April 1945, approved for sizes 27, 24, 22, 21, and 20 hours, performance rating for respective sizes 100, 150, 250, 350, and 500 pounds steam per hour maximum, over-all dimensions respective sizes 18" x 53", 21½" x 74", 28" x 89", 32" x 99", 34" x 108", maximum working pressure 30 p. s. i., manufactured by Engineering Specialties Co., Inc., 31 Cortlandt Street, New York, N. Y.

Approval No. 162.003/15/0, Farquhar heating boiler, vertical fire tube, welded steel plate, material, design and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, maximum working pressure 15 p. s. i., manufactured by A. B. Farquhar Co., York, Pa.

Approval No. 162.003/16/0, Farrar and Trefts fire tube heating boiler, vertical tubular type, Dwg. No. 31052 dated 8 April 1941, material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, heating surface total 243 square feet, maximum working pressure 30 p. s. i., manufactured by Farrar & Trefts, Inc., 11 Grimes Street, Buffalo, N. Y.

Approval No. 162.003/17/0, Type RM-19 RZU JR., fire tube heating boiler, horizontal return tubular, welded steel plate fabricated, similar to Dwg. No. A1181 dated 3 September 1938, heating surface 111 square feet, maximum working pressure 30 p. s. i., manufactured by Fitzgibbons Boiler Co., Inc., 101 Park Avenue, New York, N. Y.

Approval No. 162.002/18/0, Foster Wheeler steam heating boiler, 2-drum bent tube type D water tube boiler, natural circulation, package type unit, similar to Dwg. No. PD 440-45A dated 11 October 1944, boiler heating surface 300 sq. ft., operating pressure 50 p. s. i., feed temperature 160° F., furnace volume 21 cu. ft., evaporation 3000 lb./hr.; material, design, and construction in conformance with U. S. Coast Guard Marine Engineering Regulations and Material Specifications, Parts 51, 52, and 56, approved for type design only, manufactured by Foster Wheeler Corp., 165 Broadway, New York 6, N. Y.

Approval No. 162.003/19/0, Size No. 1 H. M. steam heating boiler, horizontal water tube boiler, water legs, firebox and shell welded steel plate, fitted with hot water heating coil, Dwg. No. 52-5295 dated 2 December 1942, boiler heating surface 63 sq. ft., over-all dimensions 3' 6" x 5' 1", maximum working pressure 30 p. s. i., manufactured by The International Boiler Works, East Stroudsburg, Pa.

Approval No. 162.003/20/0, Size No. 0 H. M. steam heating boiler, horizontal water tube boiler, water legs, firebox and shell welded steel plate, fitted with hot water heating coil, Dwg. No. 52-5337 dated 23 March 1943, boiler heating surface 47 sq. ft., over-all dimensions 2' 11½" x 5' 1", maximum working pressure 30 p. s. i., manufactured by The International Boiler Works, East Stroudsburg, Pa.

Approval No. 162.003/21/0, Model MSCH, size 14-250, waste heat boiler, heat recovery silencer type, fitted with spark arrestor, steel welded construction, Dwg. No. 5845 revised 7 March 1941 and Nos. 5846 and 5847 revised 17 November 1941, estimated weight dry 4,500 lbs., weight wet 5,700 lbs., rated capacity 1,050 lbs. per hour at 29 p. s. i., maximum working pressure 30 p. s. i., manufactured by The Maxim Silencer Co., Hartford, Conn.

Approval No. 162.003/22/0, Fire tube boiler, vertical tubular heating boiler, welded steel fabrication, Dwg. dated 17 November 1941, maximum working pressure 30 p. s. i., manufactured by Orr & Sembower, Inc., 942 Morgantown Road, Reading, Pa.

Approval No. 162.003/23/0, Pacific low pressure heating boiler, horizontal fire tube, circular water shell, steel welded construction, Dwg. Nos. 186.091 and

## NOTICES

187.091 revised 16 November 1941, Dwg. No. 187.091 used for design of boilers up to 150 sq. ft. heating surface or shell diameter 30 inches and Dwg. No. 186.091 used for design of boilers over 150 sq. ft. of heating surface or shell diameter 31 to 60 inches, maximum working pressure 30 p. s. i., manufactured by Pacific Steel Boiler Division, U. S. Radiator Corp., 1500 United Artist Building, Detroit 31, Mich.

Approval No. 162.003/24/0, Pacific low pressure heating boiler No. 3382, horizontal fire tube, oval water shell 3" tubes, welded steel plate, Dwg. No. 1388.051 dated 26 March 1946, maximum working pressure 30 p. s. i., manufactured by Pacific Steel Boiler Division, U. S. Radiator Corp., 1500 United Artist Building, Detroit 31, Mich.

Approval No. 162.003/25/0, Pacific low pressure heating boiler No. 3381, horizontal fire tube, oval water shell, welded steel plate, 3" fire tubes, Dwg. No. 1194.051 revised 27 October 1941, maximum working pressure 30 p. s. i., manufactured by Pacific Steel Boiler Division, U. S. Radiator Corp., 1500 United Artist Building, Detroit 31, Mich.

Approval No. 162.003/26/0, Model No. 400 hot water heating boiler, one vertical spiral heating coil, oil fired heater, cast iron combustion chamber, Dwg. Nos. A-106-3 revised 4 December 1941 and S-72 dated 13 December 1935, Bulletin No. 450A and service bulletin 121, heat recovery rate 70 gallons of water per hour from 50° to 150 F., hot water radiation 400 sq. ft., maximum working pressure 30 p. s. i., manufactured by Preferred Utilities Manufacturing Corp., 1860 Broadway, New York 23, N. Y.

Approval No. 162.003/27/0, Model No. 800T hot water heating boiler, two vertical spiral heating coils, oil fired, cast iron combustion chamber, Dwg. No. A-106-3 revised 4 December 1941 and S-72 dated 13 December 1935, heat recovery rate 140 gallons per hour from 50° to 150° F., hot water radiation 800 sq. ft., maximum working pressure 30 p. s. i., manufactured by Preferred Utilities Manufacturing Corp., 1860 Broadway, New York 23, N. Y.

Approval No. 162.003/28/0, Type A steel tubular heating boiler, 2-bank fire tube boiler, welded steel plate construction, oil or coal fired, in accordance with "Construction Details of Spencer Type A Boilers" dated 6 March 1942, Dwg. No. OA4-112A-1 dated 9 September 1936 and catalog dated 7 March 1941, approved for sizes 1M18, 1M22, 2M26, 2M30, 3M35, 3M40, 3M45, 4M50, 4M60, 5M70, 5M85, 6M100, 6M125, 7M175, 8M200, 8M250, 9M300, 9M350, maximum working pressure 15 p. s. i., manufactured by Spencer Heater Division, Aviation Corp., Williamsport 62, Pa.

Approval No. 162.003/29/0, Type C steel tubular heating boiler, 2-bank fire tube boiler, welded steel plate construction, oil or coal fired, in accordance with "Construction Details of Spencer Type C Boilers" dated 6 March 1942, Dwg. No. OC7-112-3 dated 16 March 1936 and catalog dated 17 March 1941, approved for sizes C2, C3, C4, C5, C6, C7, C8, and C9, maximum working pressure 15 p. s. i., manufactured by Spencer Heater Division, Aviation Corp., Williamsport 62, Pa.

Approval No. 162.003/30/0, "Wee-Scot" low pressure steam heating boiler, horizontal Scotch marine, riveted construction, dry back type, Dwg. No. E-4398 revised 21 July 1939 and Catalog Form 5025-A, diameter 45", H. P. 20, heating surface 201 sq. ft., 3-inch fire tube, weight 7000 lbs., maximum working pressure 30 p. s. i., manufactured by The Titusville Iron Works Co., Division of Struthers-Wells Corp., 1938 Reed Street, Titusville, Pa.

Approval No. 162.003/31/0, "Capital" heating boilers, cast iron construction, sectional and round fire pot type, maximum working pressure 15 p. s. i., manufactured by U. S. Radiator Corp., 1500 United Artist Building, Detroit 31, Mich.

Approval No. 162.003/32/0, Way-Wolff "Blue Jacket" hot water heating boiler, welded steel plate construction, vertical Scotch type, oil fired, Dwg. No. H-107 revised 24 October 1944 approved for sizes 4824, 4830, 7230, and 7236, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, 53 Park Place, New York 7, N. Y.

Approval No. 162.003/33/0, Model V hot water heating boiler, Blue Jacket ship heater, welded steel plate construction, vertical Scotch type, oil fired, Dwg. Nos. H-103A revised 12 July 1943 and H-104A revised 12 July 1943, heating surface 28 to 57 sq. ft., approved for sizes 4024, 4030, 6030, and 6036, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, 53 Park Place, New York 7, N. Y.

Approval No. 162.003/34/0, Weil-McLain cast iron heating boiler, maximum working pressure 15 p. s. i., manufactured by Weil-McLain Co., Michigan City, Ind.

ADDITIONAL AUTHORITY: R. S. 4417a, 4418, 4426, 4433, 4434, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 255, as amended; 46 U. S. C. 367, 391a, 392, 404, 411, 412, 1333, 50 U. S. C. 1275, 46 CFR Part 52.

#### FIRE EXTINGUISHERS, HAND, PORTABLE, CARBON-TETRACHLORIDE-TYPE

Approval No. 162.004/1/0, Reddy (Symbol PY), 1-quart carbon tetrachloride hand portable fire extinguisher, Pyrene Assembly Dwg. No. B-9223, dated 3 February 1941, rev. 19 August 1946, Pyrene Name Plate Dwg. No. A-9095, dated 6 March 1940, rev. 9 October 1946, manufactured for W. D. Allen Manufacturing Co., 566-570 West Lake Street, Chicago 6, Ill., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.004/2/0, Reddy (Symbol PY), 1½-quart carbon tetrachloride hand portable fire extinguisher, Pyrene Assembly Dwg. No. B-9231, dated 19 February 1941, rev. 16 August 1946, Pyrene Name Plate Dwg. No. A-9104, dated 25 March 1940, rev. 7 March 1941, manufactured for W. D. Allen Manufacturing Co., 566-570 West Lake Street, Chicago, Ill., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.004/3/0, Fire Gun No. 0, 1 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 13X-1049, alt. L dated 26 September 1945, name plate Dwg. No. 13X-29, alt. H, 23 September 1940, manufactured by American LaFrance Foamite Corp., Elmira, N. Y.

Approval No. 162.004/4/0, Fire Gun No. 1, 1¼ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 13X-1050, alt. H, dated 26 September 1945, name plate Dwg. No. 14X-29, alt. G, dated 25 January 1937, manufactured by American LaFrance Foamite Corp., Elmira, N. Y.

Approval No. 162.004/5/0, Fire Gun No. 2, 1½ qt. carbon tetrachloride hand portable fire extinguisher assembly Dwg. No. 13X-1051, alt. H, dated 26 September 1945, name plate Dwg. No. 15X-30, alt. F, dated 25 January 1937, manufactured by American LaFrance Foamite Corp., Elmira, N. Y.

Approval No. 162.004/6/0, LaFrance No. 5, 1½ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 13X-1051, alt. H, dated 26 September 1945, name plate Dwg. No. 7AX-10, dated 28 May 1937, manufactured by American LaFrance Foamite Corp., Elmira, N. Y.

Approval No. 162.004/7/0, LaFrance No. 6, 1 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 13X-1049, alt. L, dated 26 September 1945, name plate Dwg. No. 7AX-9, alt. G, dated 23 April 1946, manufactured by American LaFrance Foamite Corp., Elmira, N. Y.

Approval No. 162.004/8/0, Fire Gun No. 4, 1-gallon carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 31X-1000, dated 27 April 1938, name plate Dwg. No. 31X-1, alt. D, dated 27 April 1938, manufactured by American LaFrance Foamite Corp., Elmira, N. Y.

Approval No. 162.004/9/0, Badger (Symbol FY), 1-quart carbon tetrachloride hand portable fire extinguisher, Fyr-Fyter Assembly Dwg. No. 28, issue 2779, dated 8 November 1946, Fyr-Fyter Name Plate Dwg. No. 2173, issue 2338, dated 7 August 1945, manufactured for Badger Fire Extinguisher Co., 626 Somerville Avenue, Somerville 43, Mass., by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/10/0, Badger (Symbol FY), 1½-quart carbon tetrachloride hand portable fire extinguisher, Fyr-Fyter Assembly Dwg. No. 29, issue 2780, dated 8 November 1946, name plate Dwg. No. 2173, issue 2338, dated 7 August 1945, manufactured for Badger Fire Extinguisher Co., 626 Somerville Avenue, Somerville 43, Mass., by The Fyr-Fyter Company, Dayton, Ohio.

Approval No. 162.004/11/0, Buffalo Better Built, 1-quart carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 90, dated 11 July 1946, name plate Dwg. No. 3172, issue 2798, dated 17 December 1946, manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio.

Approval No. 162.004/12/0, Buffalo Better Built, 1½ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 91, dated 11 July 1946, name plate Dwg. No. 3173, issue No. 2799, dated 17 December 1946, manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio.

Approval No. 162.004/13/0, Chief Croker (Symbol PY) 1 qt. carbon tetrachloride hand portable fire extinguisher, Pyrene Assembly Dwg. No. B-9223, dated 3 February 1941, Pyrene Name Plate Dwg. No. A-9099, dated 12

March 1940, rev. 9 October 1946, manufactured for Croker Fire Prevention Corp., 32 West 31st Street, New York, N. Y., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.004/14/0, Fyr-Fyter Super, 1 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 10, issue 2777, dated 8 November 1946, name plate Dwg. No. 2127, issue 1896, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/15/0, Fyr-Fyter Super, 1½ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 11, issue 2778, dated 8 November 1946, name plate Dwg. No. 3127, issue 1902, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/16/0, Dayton, 1 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 28, issue 2779, dated 8 November 1946, name plate Dwg. No. 2143, issue 1905, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/17/0, Dayton, 1½ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 29, issue 2780, dated 8 November 1946, name plate Dwg. No. 2143, issue 1905, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/18/0, Fyr-Fyter, Model A, 1-qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 83-2, dated 13 December 1945, name plate Dwg. No. 2134, issue 1899, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/19/0, Fyr-Fyter, Model A, 1½ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 87-2, dated 1 January 1946, name plate Dwg. No. 2135, issue 1900, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/20/0, The Captain Fyr-Fyter duplex pump, 1 gal. carbon tetrachloride hand portable fire extinguisher assembly Dwg. No. 26, issue 2645, dated 13 March 1946, name plate Dwg. No. 2136, issue 1901, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/21/0, Quick Aid, Model 85, 1-qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. BT-185-X, dated 9 April 1943, Rev. 8 July 1947, name plate Dwg. No. BT-185-1, dated 27 March 1947, rev. 30 June 1947, manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich.

Approval No. 162.004/22/0, Quick Aid, Model 95, 1½ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. CT-195-X, dated 21 October 1944, rev. 28 June 1945, name plate Dwg. No. BT-195-1, dated 29 March 1947, rev. 30 June 1947, manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich.

Approval No. 162.004/23/0, S. O. S. Fire Guard, 1 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. BF-100, dated 8 November 1943, name plate Dwg. No. BF-147A, dated 23 November 1943, manufactured by The

General Pacific Corp., 1800 South Harden Avenue, Los Angeles, Calif.

Approval No. 162.004/24/0, Queen Special (Symbol BU) 1 qt. carbon tetrachloride hand portable fire extinguisher, Buffalo Assembly Dwg. No. 90, dated 11 July 1946, Buffalo Name Plate Dwg. No. 3338, dated 27 December 1946, manufactured for Harker Manufacturing Co., 121 West Third Street, Cincinnati, Ohio, by Buffalo Fire Appliance Corp., Dayton, Ohio.

Approval No. 162.004/25/0, Queen Special (Symbol BU) 1½ qt. carbon tetrachloride hand portable fire extinguisher, Buffalo Assembly Dwg. No. 91, dated 11 July 1946, Buffalo Name Plate Dwg. No. 3338, dated 27 December 1946, manufactured for Harker Manufacturing Co., 121 West Third Street, Cincinnati, Ohio, by Buffalo Fire Appliance Corp., Dayton, Ohio.

Approval No. 162.004/26/0, Pistol Grip, Trigger Type 1 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 205, dated 8 August 1943, name plate Dwg. No. 303, dated 28 January 1935, manufactured by Kent Extinguisher Co., Grand Rapids, Mich.

Approval No. 162.006/27/0, Pistol Grip, trigger type 1½ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 206, dated 8 August 1943, name plate Dwg. No. 304, dated 28 January 1935, manufactured by Kent Extinguisher Co., Grand Rapids, Mich.

Approval No. 162.004/28/0, Miller Peerless (Symbol FY) 1 qt. carbon tetrachloride hand portable fire extinguisher, Fyr-Fyter Assembly Dwg. No. 28, issue 2779, dated 8 November 1946, name plate Dwg. No. 2144, issue 1906, dated 18 August 1942, manufactured for Miller Peerless Manufacturing Co., 452 North Sangamon Street, Chicago 22, Ill., by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/29/0, Miller Peerless 1½ qt. carbon tetrachloride hand portable fire extinguisher, Fyr-Fyter Assembly Dwg. No. 29, issue 2780, dated 8 November 1946, name plate Dwg. No. 2144, issue 1906, dated 18 August 1942, manufactured for Miller Peerless Manufacturing Co., 452 North Sangamon Street, Chicago 22, Ill., by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.004/30/0, National Model NBF (Symbol BU), 1 qt. carbon tetrachloride hand portable fire extinguisher, Buffalo Assembly Dwg. No. 90, dated 11 July 1946, Buffalo name plate Dwg. No. 3300, dated 27 December 1946, manufactured for National Foam System, Inc., Fifteenth and Chestnut Streets, Phila. 2, Pa., by Buffalo Fire Appliance Corp., Dayton, Ohio.

Approval No. 162.004/31/0, National Model NBF (Symbol BU), 1½ qt. carbon tetrachloride hand portable fire extinguisher, Buffalo Assembly Dwg. No. 91, dated 11 July 1946, Buffalo Name Plate Dwg. No. 3300, dated 27 December 1946, manufactured for National Foam System, Inc., Fifteenth and Chestnut Streets, Philadelphia, Pa., by Buffalo Fire Appliance Corp., Dayton, Ohio.

Approval No. 162.004/32/0, Phister No. ½-2 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 107, dated 12 November 1936, rev. 12 January 1945, name plate Dwg. No. BB-½-NY, dated 25 February 1946, manu-

factured by The Phister Manufacturing Co., 621-627 East Pearl Street, Cincinnati, Ohio.

Approval No. 162.004/33/0, Phister No. 1B, 1 gal. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. 106, dated 6 February 1936, rev. 9 November 1944, name plate Dwg. No. B-9-B, dated 6 February 1936, rev. 17 October 1941, manufactured by The Phister Manufacturing Co., 621-627 East Pearl Street, Cincinnati, Ohio.

Approval No. 162.004/34/0, Pyrene 1 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. B-7992, dated 28 July 1938, rev. 15 August 1946, name plate Dwg. No. A-9069, dated 17 January 1940, rev. 9 October 1946, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.004/35/0, Pyrene, 1½ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. B-4593, dated 29 April 1935, rev. 16 August 1946, name plate Dwg. No. A-8076, dated 18 January 1940, rev. 10 May 1944, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.004/36/0, Pyrene (Symbol PH) 2 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. C-8817, dated 20 April 1938, name plate Dwg. No. B-15286, dated 6 August 1942, manufactured for Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J., by The Phister Manufacturing Co., Cincinnati, Ohio.

Approval No. 162.004/37/0, Pyrene, 1 gal. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. D-9986, dated 16 January 1945, name plate Dwg. No. C-8890, dated 10 October 1938, rev. 9 December 1946, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.004/38/0, Security (Symbol PY) 1 qt. carbon tetrachloride hand portable fire extinguisher, Pyrene Assembly Dwg. No. B-9223, dated 3 February 1941, rev. 19 August 1946, name plate Dwg. No. A-9270, dated 3 June 1941, rev. 9 October 1946, manufactured for A. C. Rowe & Son, 78 Reade Street, New York, N. Y., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.004/39/0, Stempel Pistol Grip (Symbol KE) 1 qt. carbon tetrachloride hand portable fire extinguisher, Kent Assembly Dwg. No. 8A, dated 8 August 1943, Kent Name Plate Dwg. No. 30, dated 15 February 1940, manufactured for Stempel Fire Extinguisher Manufacturing Co., 2400 North Jasper Street, Philadelphia, Pa., by Kent Extinguisher Co., Grand Rapids, Mich.

Approval No. 162.004/40/0, Stempel Pistol Grip, (Symbol KE), 1½ qt. carbon tetrachloride hand portable fire extinguisher, Kent Assembly Dwg. No. 9A, dated 8 August 1943, Kent Name Plate Dwg. No. 31, dated 15 February 1940, manufactured for Stempel Fire Extinguisher Manufacturing Co., 2400 North Jasper Street, Philadelphia, Pa., by Kent Extinguisher Co., Grand Rapids, Mich.

Approval No. 162.004/41/0, Stempel Trigger type (Symbol KE), 1 qt. hand portable fire extinguisher, Kent Assembly Dwg. No. 8A, dated 8 August 1943, Kent Name Plate Dwg. No. 304, dated 1 June 1936, manufactured for Stempel

## NOTICES

Fire Extinguisher Co., 2400 North Jasper Street, Philadelphia, Pa., by Kent Extinguisher Co., Grand Rapids, Mich.

Approval No. 162.004/42/0, Stempel Trigger Type (Symbol KE) 1½ qt. carbon tetrachloride hand portable fire extinguisher, Kent Assembly Dwg. No. 9A, dated 8 August 1943, Kent Name Plate Dwg. No. 305, dated 1 June 1936, manufactured for Stempel Fire Extinguisher Co., 2400 North Jasper Street, Philadelphia, Pa., by Kent Extinguisher Co., Grand Rapids, Mich.

Approval No. 162.004/43/0, Wilbur, 1 qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. FE 220, rev. 24 January 1946, name plate Dwg. No. FE 53, rev. 20 September 1945, manufactured by Wil-X-Manufacturing Corp., 29 Ryerson Street, Brooklyn 5, N. Y.

Approval No. 162.004/44/0, Wilbur, 1½ qt. carbon tetrachloride hand portable fire extinguisher, assembly Dwg. No. FE 226, rev. 24 January 1946, name plate Dwg. No. FE 53, rev. 20 September 1945, manufactured by Wil-X-Manufacturing Corp., 29 Ryerson Street, Brooklyn 5, N. Y.

Approval No. 162.004/45/0, Chief Croker (Symbol GE), 1 qt. carbon tetrachloride hand portable fire extinguisher, General Detroit assembly Dwg. No. BT-185-X, dated 9 April 1943, rev. 8 July 1947, General Detroit name plate Dwg. No. AT-185-1N, dated 25 March 1947, manufactured for Croker Fire Prevention Corp., 32 West 31st Street, New York, N. Y., by The General Detroit Corp., 2272 East Jefferson, Detroit 7, Mich.

Approval No. 162.004/46/0, Defender (Symbol GE), 1 qt. carbon tetrachloride hand portable fire extinguisher, General Detroit assembly Dwg. No. BT-185-X, dated 9 April 1943, rev. 8 July 1947, General Detroit name plate Dwg. No. AT-185-1G, dated 17 July 1946, rev. 22 August 1946, manufactured for Schwartz Bros., Inc., 827 Arch Street, Philadelphia, Pa., by The General Detroit Corp., 2272 East Jefferson, Detroit 7, Mich.

Approval No. 162.004/47/0, Defender (Symbol GE) 1½ qt. carbon tetrachloride hand portable fire extinguisher, General Detroit assembly Dwg. No. CT-195-X, dated 21 October 1944, rev. 28 June 1945, General Detroit name plate Dwg. No. AT-195-1G, dated 10 July 1946, rev. 22 August 1946, manufactured for Schwartz Bros., Inc., 827 Arch Street, Philadelphia, Pa., by The General Detroit Corp., 2272 East Jefferson, Detroit 7, Mich.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4479, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 463a, 472, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.5-1, 26.3-1, 27.3-1, 34.5-1, 61.13, 77.13, 95.13, 114.15.

#### FIRE EXTINGUISHERS, HAND, PORTABLE, CARBON-DIOXIDE TYPE

Approval No. 162.005/1/0, Model PSH, Series 15-N, squeeze grip valve, 15-lb. carbon dioxide hand portable fire extinguisher, assembly Dwg. No. 28X-1558, alt. A, dated 14 July 1943, name plate Dwg. No. 28X-834, alt. A, dated 1 May

1945, manufactured by American LaFrance Foamite Corp., Elmira, N. Y.

Approval No. 162.005/2/0, Speedex 15, squeeze grip valve, 15-lb. carbon dioxide hand portable fire extinguisher, assembly Dwg. No. 28X-1576, alt. F, dated 3 February 1946, name plate Dwg. No. 28X-840 (on Dwg. No. 28X-844, alt. U, dated 8 October 1946, manufactured by American LaFrance Foamite Corp., Elmira, N. Y.

Approval No. 162.005/3/0, Speedex 4, squeeze grip valve, 4-lb. carbon dioxide hand portable fire extinguisher, assembly Dwg. No. 28X-1570, alt. E, dated 18 June 1945, name plate Dwg. No. 28X-843 (on Dwg. No. 28X-844, alt. U, dated 8 October 1946, manufactured by American LaFrance Foamite Corp., Elmira, N. Y.

Approval No. 162.005/4/0, Type PSH-15, squeeze grip valve, 15-lb. carbon dioxide hand portable fire extinguisher, assembly Dwg. D-62325, alt. 2, dated 6 August 1946, name plate Dwg. No. D-57094, alt. 1, dated 5 August 1946, manufactured by C-O-Two Fire Equipment Co., Newark, N. J.

Approval No. 162.005/5/0, Type PSH-10, squeeze grip valve, 10-lb. carbon dioxide hand portable fire extinguisher, assembly Dwg. No. O-53690, alt. 2, dated 6 August 1946, name plate Dwg. No. D-56916, alt. 1, dated 5 August 1946, manufactured by C-O-Two Fire Equipment Corp., Newark, N. J.

Approval No. 162.005/6/0, Type FSH-7½, squeeze grip valve, 7½ lb. carbon dioxide hand portable fire extinguisher, assembly Dwg. No. D-55855, alt. 0, dated 12 June 1942, name plate Dwg. No. C-53970, alt. 3, dated 10 December 1945, manufactured by C-O-Two Fire Equipment Corp., Newark, N. J.

Approval No. 162.005/7/0, Type PS-4, squeeze grip valve, 4-lb. carbon dioxide hand portable fire extinguisher, assembly Dwg. No. C-55389, alt. 1, dated 17 October 1944, name plate Dwg. No. C-53343, alt. 8, dated 7 May 1945, manufactured by C-O-Two Fire Equipment Corp., Newark, N. J.

Approval No. 162.005/8/0, Type C-D/FOG, Model 15K, 15-lb. carbon dioxide hand portable fire extinguisher, squeeze grip valve, assembly Dwg. No. CO-233E, dated 23 March 1943, name plate Dwg. No. CO-308-C, dated 15 July 1943, rev. 16 November 1943, manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich.

Approval No. 162.005/9/0, KIDDE, Model 15D, 15-lb. carbon dioxide hand portable fire extinguisher, Installation Dwg. No. 81382, dated 29 November 1944, name plate Dwg. No. 77106, Rev. Q, dated 12 August 1946, manufactured by Walter Kidde & Co., Inc., 675 Main Street, Belleville 9, N. J.

Approval No. 162.005/10/0, KIDDE, Model 10D, 10-lb. carbon dioxide hand portable fire extinguisher, General Arrangement Dwg. No. 15530, Rev. B, dated 3 July 1944, name plate Dwg. No. 77130, Rev. Q, dated 8 August 1945, manufactured by Walter Kidde & Co., Inc., 675 Main Street, Belleville 9, N. J.

Approval No. 162.005/11/0, KIDDE, Model 15Z, squeeze grip valve, 15-lb. carbon dioxide hand portable fire extinguisher, General Arrangement Dwg. No. 30183, dated 29 June 1944, name plate

Dwg. No. 80889, dated 16 August 1943, manufactured by Walter Kidde & Co., Inc., 675 Main Street, Belleville 9, N. J.

Approval No. 162.005/12/0, KIDDE, Model 4T, 4-lb. carbon dioxide hand portable fire extinguisher, Assembly Dwg. No. M-89008, dated 8 April 1946, name plate Dwg. No. 67111, Rev. B, dated 10 July 1946, manufactured by Walter Kidde & Co., Inc., 675 Main Street, Belleville 9, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4479, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 463a, 472, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.5-1, 26.3-1, 27.3-1, 34.5-1, 61.13, 77.13, 95.13, 114.15.

#### FIRE EXTINGUISHERS, HAND, PORTABLE, FOAM-TYPE

Approval No. 162.006/1/0, Foamite Crusader, 2½ gal. foam hand portable fire extinguisher, assembly Dwg. No. 4X-1036, alt. 6, dated 19 May 1939, name plate Dwg. No. 4X-208, alt. E, dated 11 July 1946, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 162.006/2/0, Foamex, 2½ gal. foam hand portable fire extinguisher, assembly Dwg. No. 4X-1080, alt. H, dated 3 June 1946, name plate Dwg. No. 4X-209, alt. B, dated 11 July 1946, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 162.006/3/0, Firefoam, Model D. S., 2½ gal. foam, hand portable fire extinguisher, assembly Dwg. No. 4X-1072 (on Dwg. No. 4X-1070) alt. I, dated 6 April 1938, name plate Dwg. No. 4X-76, alt. I, dated 3 March 1937, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 162.006/4/0, Alfoam, 2½ gal. foam hand portable fire extinguisher, assembly Dwg. No. 4X-1070, alt. I, dated 6 April 1938, name plate Dwg. No. 4X-75, alt. K, dated 25 January 1937, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 162.006/5/0, Fyr-Fyter, 2½ gal. foam hand portable fire extinguisher, assembly Dwg. No. 18, issue 1652, dated 13 December 1940, name plate Dwg. No. 1405, dated 19 October 1927, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.006/6/0, Dayton, 2½ gal. foam hand portable fire extinguisher, assembly Dwg. No. 37, issue 1262, dated 17 December 1940, name plate Dwg. No. 2086, issue 1895, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.006/7/0, Quick Aid, Model F-833, 2½ gal. foam hand portable fire extinguisher, assembly Dwg. No. BF-833-X, dated 27 June 1945, rev. 19 Nov. 1945, name plate Dwg. No. CF-833-7R, dated 19 May 1947, manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich.

Approval No. 162.006/8/0, Pyrene (four-star shell), 2½ gal. foam hand portable fire extinguisher, assembly Dwg. No. C-8206, dated 24 August 1936, rev. 15 November 1946, name plate Dwg. No. B-15172, dated 7 March 1946, rev. 17 June 1946, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.006/9/0, Pyrene, 2½ gal. foam hand portable fire extinguisher, assembly Dwg. No. B-7602, dated 21 January 1934, rev. 11 March 1946, name plate Dwg. No. B-15079, dated 9 October 1945, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 1028, and sec. 5 (e), 55 Stat. 165, 166, 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 463a, 472, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.5-1, 26.3-1, 27.3-1, 34.5-1, 61.13, 77.13, 95.13, 114.15.

**FIRE EXTINGUISHERS, HAND, PORTABLE, SODA-ACID TYPE**

Approval No. 162.007/1/0, First Aid, 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. EX-1, dated 3 April 1928, manufactured by W. D. Allen Manufacturing Co., 566-570 West Lake Street, Chicago, Ill.

Approval No. 162.007/2/0, Child's Model D. S., 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. 8P-1024, alt. E, dated 5 June 1940, name plate Dwg. No. 2X-184, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 162.007/3/0, Empire, 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. 2X-1082, alt. F, dated 26 February 1946, name plate Dwg. No. 2X-215, alt. D, dated 11 July 1946, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 162.007/4/0, Rough Rider, 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. 2X-1033, alt. M, dated 11 June 1945, name plate Dwg. No. 2X-187, alt. I, dated 9 June 1945, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 162.007/5/0, Alert, Model D. S., 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. 2X-1038 (on Dwg. No. 8P-1024, alt. E, dated 5 June 1940), name plate Dwg. No. 2X-178, alt. L, dated 25 January 1937, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 162.007/6/0, Fyr-Fyter, 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. 17, issue 1658, dated 17 December 1940, name plate Dwg. No. 1380, dated 15 September 1927, manufactured by the Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.007/7/0, Dayton, 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. 36, issue 1661, dated 17 December 1940, name plate Dwg. No. 2073, issue 1894, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton, Ohio.

Approval No. 162.007/8/0, Quick Aid, Model SA-303, 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. BS-303-X, dated 2 July 1947, name plate Dwg. No. CS-303-14Q, dated 14 May 1947, manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Jefferson Avenue, Detroit 7, Mich.

Approval No. 162.007/9/0, Pyrene (four-star shell) 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. C-8210, dated 24 August 1936, rev. 15 November 1946, name plate Dwg. No. B-15173, dated 19 February 1946, rev. 17

June 1946, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/10/0, Pyrene, 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. B-7601, dated 20 December 1934, rev. 11 March 1946, name plate Dwg. No. B-15078, dated 3 October 1945, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/11/0, Hartford 5-H, 2½ gal. soda-acid hand portable fire extinguisher, Pyrene assembly Dwg. No. B-7601, dated 20 December 1934, rev. 11 March 1946, Pyrene name plate Dwg. No. B-8181 dated 17 July 1936, rev. 3 March 1941, manufactured for Belknap Hardware & Manufacturing Co., 111 East Main Street, Louisville, Ky., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/12/0, Akron, 2½ gal. soda-acid hand portable fire extinguisher, Pyrene assembly Dwg. No. B-7601, dated 20 December 1934, rev. 11 March 1946, Pyrene name plate Dwg. No. B-8177, dated 20 July 1936, rev. 28 February 1941, manufactured for M. E. Murdock Co., Akron, Ohio, by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/13/0, Cambar 2½ gal. soda-acid hand portable fire extinguisher, Pyrene assembly Dwg. No. B-7601, dated 20 December 1934, rev. 11 March 1946, name plate Dwg. No. B-8174, dated 23 July 1936, rev. 4 March 1941, manufactured for Cameron & Barkely Co., Tampa, Fla., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/14/0, Hickory, 2½ gal. soda-acid hand portable fire extinguisher, Pyrene assembly Dwg. No. B-7106, dated 20 December 1934, rev. 11 March 1946, Pyrene name plate Dwg. No. B-8178, dated 21 July 1936, rev. 3 March 1941, manufactured for Kelly-Thompson Co., Duluth, Minn., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/15/0, Ideal (Symbol PY), 2½ gal. soda-acid hand portable fire extinguisher, Pyrene assembly Dwg. No. B-7106, dated 20 December 1934, rev. 11 March 1946, Pyrene name plate Dwg. No. B-8183, dated 24 July 1936, rev. 3 March 1941, manufactured for Berkshire Mill Supply Co., Pittsfield, Mass., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/16/0, Pacific (Symbol PY), 2½ gal. soda-acid hand portable fire extinguisher, Pyrene assembly Dwg. No. B-7106, dated 20 December 1934, rev. 11 March 1946, Pyrene name plate Dwg. No. B-8971, dated 19 May 1939, rev. 27 February 1941, manufactured for Pacific Fire Extinguisher Co., 318 East Twelfth Street, Los Angeles, Calif., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/17/0, Reliance, 2½ gal. soda-acid hand portable fire extinguisher Pyrene assembly Dwg. No. B-7106, dated 20 December 1934, rev. 11 March 1946, Pyrene name plate Dwg. No. B-8180, dated 17 July 1936, rev. 28 February 1941, manufactured for W. S. Nott Co., 201 North Third Street, Minneapolis,

Minn., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/18/0, Swiftout, 2½ gal. soda-acid hand portable fire extinguisher Pyrene assembly Dwg. No. B-7106, dated 20 December 1934, rev. 11 March 1946, Pyrene name plate Dwg. No. B-8173, dated 17 July 1936, rev. 3 March 1941, manufactured for H. L. Swift Co., 1456 North McCadden Street, Hollywood, Calif., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/19/0, Universal (Symbol PY), 2½ gal. soda-acid hand portable fire extinguisher, Pyrene assembly, Dwg. No. B-7106, dated 20 December 1934, rev. 11 March 1946, Pyrene name plate Dwg. No. B-8933, dated 14 February 1939, rev. 27 February 1941, manufactured for Underwriters Equipment Co., 1726 East Seventh Street, Los Angeles, Calif., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/20/0, Union, 2½ gal. soda-acid hand portable fire extinguisher, Pyrene assembly Dwg. B-7106, dated 20 December 1934, rev. 11 March 1946, name plate Dwg. No. B-8175, dated 20 July 1936, rev. 3 March 1941, manufactured for Union Hardware & Metal Co., 411 East First Street, Los Angeles 54, Calif., by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.007/21/0, Defender (Symbol GE), 2½ gal. soda-acid hand portable fire extinguisher, General Detroit Assembly Dwg. No. BS-303-X, dated 2 July 1947, General Detroit name plate Dwg. No. AS-303-14D, dated 19 February 1946, rev. 23 December 1946, manufactured for Schwartz Eros., Inc., 327 Arch Street, Philadelphia, Pa., by The General Detroit Corp., 2272 East Jefferson, Detroit 7, Mich.

Approval No. 162.007/22/0, Kontrol (Symbol GE), 2½ gal. soda-acid hand portable fire extinguisher, General Detroit assembly Dwg. No. BS-303-X, dated 2 July 1947, General Detroit name plate Dwg. No. AS-303-14K, dated 14 February 1946, rev. 23 December 1946, manufactured for Stempel Fire Extinguisher Manufacturing Co., 2400 Jasper Street, Philadelphia, Pa., by The General Detroit Corp., 2272 East Jefferson, Detroit 7, Mich.

Approval No. 162.007/23/0, Chief Croker (Symbol GE), 2½ gal. soda-acid hand portable fire extinguisher, General Detroit assembly Dwg. No. BS-303-X, dated 2 July 1947, General Detroit name plate Dwg. No. AS-303-14P, dated 2 May 1947, manufactured for Croker Fire Prevention Corp., 32 West Thirty-first Street, New York, N. Y., by The General Detroit Corp., 2272 East Jefferson, Detroit Mich.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4479, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 463a, 472, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.5-1, 26.3-1, 27.3-1, 34.5-1, 61.13, 77.13, 95.13, 114.15.

**FIRE EXTINGUISHERS, HAND, PORTABLE, PUMP-TANK TYPE**

Approval No. 162.008/1/0, Pyrene, 2½ gal. copper pump-tank hand portable fire extinguisher, assembly Dwg. No. C-15134, dated 7 December 1945, name

## NOTICES

plate Dwg. No. B-15126, dated 16 November 1945, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4479, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 463a, 472, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.5-1, 26.3-1, 27.3-1, 34.5-1, 61.13, 77.13, 95.13, 114.15.

FIRE EXTINGUISHERS, HAND, PORTABLE,  
CARTRIDGE-OPERATED TYPE

Approval No. 162.009/1/0, Kidde, Anti-Freeze (water), 2½ gal. cartridge-operated hand portable fire extinguisher, assembly Dwg. No. 62490, Rev. B, dated 27 October 1942, name plate Dwg. No. 76876, dated 15 December 1931, rev. 21 September 1945, manufactured by Walter Kidde & Co., Inc., 675 Main Street, Belleville 9, N. J.

Approval No. 162.009/2/0, Kidde (water type), 2½ gal. cartridge-operated hand portable fire extinguisher, assembly Dwg. No. 62490, Rev. B, dated 27 October 1942, name plate Dwg. No. 76874, Rev. N, dated 15 September 1945, manufactured by Walter Kidde & Co., Inc., 675 Main Street, Belleville 9, N. J.

Approval No. 162.003/3/0, Pyrene (anti-freeze), 2½ gal. cartridge-operated hand portable fire extinguisher, assembly Dwg. No. C-8380, dated 5 January 1937, rev. 18 March 1946, name plate Dwg. No. 15129, dated 9 November 1945, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.009/4/0, Pyrene (water type), 2½ gal. cartridge-operated hand portable fire extinguisher, assembly Dwg. No. C-8612, dated 28 June 1937, rev. 18 March 1946, name plate Dwg. No. B-15128, dated 21 November 1945, manufactured by Pyrene Manufacturing Co., 560 Belmont Avenue, Newark, N. J.

Approval No. 162.009/5/0, Instant, Model C, loaded stream, anti-freeze, 1¾ gal. cartridge-operated hand portable fire extinguisher, assembly Dwg. No. 70, issue 2703, dated 4 June 1946, name plate Dwg. 2241, issue 2057, dated 29 November 1943, manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.009/6/0, Instant, Model X, loaded stream, anti-freeze, 2½ gal. cartridge-operated hand portable fire extinguisher, assembly Dwg. No. 78, issue 2855, dated 25 March 1947, name plate Dwg. No. 2240, issue 1918, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.009/7/0, Polar Bear, anti-freeze, 2½ gal. cartridge-operated hand portable fire extinguisher, assembly Dwg. No. 79, issue 2605, dated 17 January 1946, name plate Dwg. No. 2239, issue 1917, dated 18 August 1942, manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 4479, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 463a, 472, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.5-1, 26.3-1, 27.3-1, 34.5-1, 61.13, 77.13, 95.13, 114.15.

BACKFIRE FLAME ARRESTORS FOR CARBURETORS

Approval No. 162.015/1/0, Model No. E52635M, Backfire Flame Arrestor for Carburetors, Drawing No. E52635M, dated 8 December 1939, manufactured by Chrysler Corp., Marine Engine Division, Detroit, Mich.

Approval No. 162.015/2/0, Model No. E52636M, Backfire Flame Arrestor for Carburetors, Drawing No. E52636M, dated 8 December 1939, manufactured by Chrysler Corp., Marine Engine Division, Detroit, Mich.

Approval No. 162.015/3/0, Model No. E52637M, Backfire Flame Arrestor for Carburetors, Drawing No. E52637M, dated 8 December 1939, manufactured by Chrysler Corp., Marine Engine Division, Detroit, Mich.

Approval No. 162.015/4/0, Model No. E54647M, Backfire Flame Arrestor for Carburetors, Drawing No. E54647M, dated 8 December 1939, manufactured by Chrysler Corp., Marine Engine Division, Detroit, Mich.

Approval No. 162.015/5/0, Type B, Trap No. 1, Backfire Flame Arrestor for Carburetors, drawing dated 12 November 1931, manufactured by M. L. Oberdorfer Brass Co., Syracuse, N. Y.

Approval No. 162.015/6/0, Type B, Trap No. 3, Backfire Flame Arrestor for Carburetors, drawing dated 12 November 1931, manufactured by M. L. Oberdorfer Brass Co., Syracuse, N. Y.

Approval No. 162.015/7/0, Type B, Trap No. 6, Backfire Flame Arrestor for Carburetors, drawing dated 12 November 1931, manufactured by M. L. Oberdorfer Brass Co., Syracuse, N. Y.

Approval No. 162.015/8/0, Model No. C4658x1, Backfire Flame Arrestor for Carburetors, Drawing No. C4658x1, dated 31 March 1939, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/9/0, Model No. C4658, Backfire Flame Arrestor for Carburetors, Drawing No. C4658, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/10/0, Model No. C4657, Backfire Flame Arrestor for Carburetors, Drawing No. C4657, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/11/0, Model No. B175-7, Backfire Flame Arrestor for Carburetors, Drawing No. B175-7, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/12/0, Model No. C4706, Backfire Flame Arrestor for Carburetors, Drawing No. C4706, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/13/0, Model No. C4656, Backfire Flame Arrestor for Carburetors, Drawing No. C4656, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/14/0, Model No. B1807, Backfire Flame Arrestor for Carburetors, Drawing No. B1807, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/15/0, Model No. B1856, Backfire Flame Arrestor for Carburetors, Drawing No. B1856, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/16/0, Model No. B1921, Backfire Flame Arrestor for Carburetors, Drawing No. B1921, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/17/0, Model No. B1808, Backfire Flame Arrestor for Carburetors, Drawing No. B1808, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/18/0, Model No. B1857, Backfire Flame Arrestor for Carburetors, Drawing No. B1857, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/19/0, Model No. B1858, Backfire Flame Arrestor for Carburetors, Drawing No. B1858, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/20/0, Model No. B175-1, Backfire Flame Arrestor for Carburetors, Drawing No. B175-1, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

Approval No. 162.015/21/0, Model No. B175-3, Backfire Flame Arrestor for Carburetors, Drawing No. B175-3, manufactured by Bendix Aviation Corp., Zenith Carburetor Division, 696 Hart Avenue, Detroit, Mich.

ADDITIONAL AUTHORITY: 54 Stat. 165, 166; 46 U. S. C. 526i, 526p; 46 CFR 25.6-1, 26.4-1, 27.4-1.

FLAME ARRESTERS FOR TANK VESSELS

Approval No. 162.016/1/0, Type O, Staytite flame arrester, cast iron body and aluminum perforated plate arrester bank, atmospheric pattern, vent outlet opens directly to atmosphere, marked "Staytite" with pipe size cast on body, approved for 4", 6", 8", and 10" pipe sizes for use with inflammable or combustible liquids of Grade A or lower, manufactured by Staytite Co., Houston, Tex.

Approval No. 162.016/2/0, Type I, Staytite flame arrester, cast iron body and aluminum perforated plate bank, enclosed pattern, marked "Staytite" with pipe size cast on body, approved for 4", 6", and 8" pipe sizes for use with inflammable or combustible liquids of Grade A or lower, manufactured by Staytite Co., Houston, Tex.

Approval No. 162.016/3/0, Figure ST. 863, Shand and Jurs flame arrester, marked with S & J cast on body, standard cast iron or cast aluminum body and sheet aluminum or copper tube bank consisting of 2 alternate coils of flat and corrugated copper or aluminum sheets wound around solid brass or aluminum core, removable cover plate, Dwg. No. ST-863-X, dated 3 November 1936, and Dwg. No. ST-910, revised 2 September 1943, approved for sizes 3", 4", 6", 8", and 10", for use with inflammable or combustible liquids of Grade A or lower, manufactured by Shand & Jurs Co., Berkeley, Calif.

Approval No. 162.016/4/0, Model 1004, Protectoseal flame arrester, cast iron

body, grid assembly consists of rectangular bank of 96 bronze plates, fully enclosed case, Dwg. No. 1004A, dated 22 June 1937, approved for size 4" diameter, for use with inflammable or combustible liquids of Grade A or lower, manufactured by Protectoseal Co. of America, Chicago, Ill.

Approval No. 162.016/5/0, Model 1004A, Protectoseal flame arrester, cast iron body, grid assembly consists of rectangular bank of 96 bronze plates, fitted with removable grid cover plate, Dwg. No. 1004A dated 22 June 1937, approved for size 4" diameter, for use with inflammable or combustible liquids of Grade A or lower, manufactured by Protectoseal Co. of America, Chicago, Ill.

Approval No. 162.016/6/0, Figure ST-4300, Special S & J Flamex model, Shand & Jurs flame arrester, semi-steel ends and copper tube bank, constructed in 3 sections consisting of brass tube bank shell between 2 semi-steel flanged ends, Dwg. No. ST-4300, revised 18 November 1943, approved for sizes 3", 4", 6", 8", and 10", for use with inflammable or combustible liquids of Grade A or lower, manufactured by Shand & Jurs Co., Berkeley, Calif.

Approval No. 162.016/7/0, Type A-20, Oceco flame arrester, cast iron body, aluminum bank assembly, Dwg. No. 11885 dated 30 January 1940, approved for 2½" and above, for use with combustible or inflammable liquids of Grade A or lower, manufactured by The Johnson & Jennings Co., 877 Addison Road, Cleveland, Ohio.

Approval No. 162.016/8/0, Figure No. 50, Varec flame arrester, aluminum body, aluminum multiple plate bank, vertical type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/9/0, Figure No. 50A, aluminum body, aluminum multiple plate bank, vertical type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/10/0, Figure No. 50 ACU, Varec flame arrester, semi-steel body, copper multiple plate bank, vertical type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/11/0, Figure No. 50 ABCU, Varec flame arrester, semi-steel body, copper multiple plate bank, vertical type, female pipe threaded connections, fitted with extensible banks and

removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/12/0, Figure No. 50 ACCU, Varec flame arrester, semi-steel body, copper multiple plate bank, vertical type, flanged and screwed connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/13/0, Figure No. 50 AN, Varec flame arrester, semi-steel and aluminum body, aluminum multiple plate bank, vertical type, square flange connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/14/0, Figure No. 50 B, Varec flame arrester, aluminum body, aluminum multiple plate bank, vertical type, female threaded connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/15/0, Figure No. 50 C, Varec flame arrester, aluminum body, aluminum multiple plate bank, vertical type, flanged and screwed connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/16/0, Figure No. 50 CU, Varec flame arrester, semi-steel body, copper multiple plate bank, vertical type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/17/0, Figure No. 50 S, Varec flame arrester, semi-steel body, aluminum multiple plate bank, vertical type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

tured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/18/0, Figure No. 50 SA, Varec flame arrester, semi-steel body, small aluminum multiple plate bank, vertical type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/19/0, Figure No. 50 SG, Varec flame arrester, semi-steel body, aluminum multiple plate bank, vertical type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/20/0, Figure No. 50 SB, Varec flame arrester, semi-steel body, aluminum multiple plate bank, vertical type, threaded connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/21/0, Figure No. 50 SC, Varec flame arrester, semi-steel body, aluminum multiple plate bank, vertical type, flanged and screwed connections, fitted with extensible banks and removable cover plate, Dwg. No. C-746, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/22/0, Figure No. 53, Varec flame arrester, aluminum body, aluminum multiple plate bank, horizontal type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-749, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/23/0, Figure No. 53A, Varec flame arrester, aluminum body, aluminum multiple plate bank, horizontal type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-749, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

## NOTICES

Approval No. 162.016/24/0, Figure No. 53B, Varec flame arrester, aluminum body, aluminum multiple plate bank, horizontal type, screwed connections, fitted with extensible banks and removable cover plate, Dwg. No. C-749, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/25/0, Figure No. 53 C, Varec flame arrester, aluminum body, aluminum multiple plate bank, horizontal type, flanged and screwed connections, fitted with extensible banks and removable cover plate, Dwg. No. C-749, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/26/0, Figure No. 53 S, Varec flame arrester, semi-steel body, aluminum multiple plate bank, horizontal type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-749, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/27/0, Figure No. 53 SA, Varec flame arrester, semi-steel body, aluminum multiple plate bank, horizontal type, flanged connections, fitted with extensible banks and removable cover plate, Dwg. No. C-749, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/28/0, Figure No. 53 SB, Varec flame arrester, semi-steel body, aluminum multiple plate bank, horizontal type, screwed connections, fitted with extensible banks and removable cover plate, Dwg. No. C-749, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.016/29/0, Figure No. 53 SC, Varec flame arrester, semi-steel body, aluminum multiple plate bank, horizontal type, flanged and screwed connections, fitted with extensible banks and removable cover plate, Dwg. No. C-749, Alt. A, dated 24 January 1947, approved for 2½", 3", 4", 6", 8", 10", and 12" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

ADDITIONAL AUTHORITY: R. S. 4417a and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275; 46 CFR 30.3.

## PRESSURE VACUUM RELIEF VALVES

Approval No. 162.017/1/0, Butterworth type E pressure vacuum relief valve, spring loaded, fitted with flame arrester, atmospheric pattern, bronze body, bronze valve disc, monel metal spring and spindle, fitted with spring lifting lever, Dwg. No. 115 dated 24 March 1936, approved for sizes 3", 4", and 6" for use with inflammable or combustible liquids of Grade A or lower, manufactured by Butterworth System, Inc., Bayonne, N. J.

Approval No. 162.017/2/0, Butterworth type F pressure vacuum relief valve, spring loaded atmospheric pattern fitted with flame screen and spring lifting lever, bronze body, Dwg. No. PV-112 dated 30 March 1936, approved for sizes 3", 4", and 6" for use with combustible or inflammable liquids of Grade A or lower, manufactured by Butterworth System, Inc., Bayonne, N. J.

Approval No. 162.017/3/0, Butterworth type G pressure vacuum relief valve, spring loaded, enclosed pattern, for use in conjunction with flame arrester, fitted with spring lifting lever, bronze body, Dwg. No. PV-160 dated 6 January 1937, approved for 3", 4", and 6" sizes for use with inflammable or combustible liquids of Grade A or lower in closed venting system with flame arrester, manufactured by Butterworth System, Inc., Bayonne, N. J.

Approval No. 162.017/4/0, Butterworth type H pressure vacuum relief valve, triplex enclosed pattern in solid manifold, spring loaded, fitted with spring lifting levers, bronze valves and manifold, victaulic flanged openings, Dwg. No. PV-114 dated 2 November 1936, approved for 3", 4", and 6" valve sizes for use with inflammable or combustible liquids of Grade A or lower in closed venting system where vent headers are fitted with flame arrester at outlet to atmosphere, manufactured by Butterworth System, Inc., Bayonne, N. J.

Approval No. 162.017/5/0, Butterworth type H-2 pressure vacuum relief valve, triplex enclosed pattern with atmospheric vacuum inlet fitted with flame arrester, spring loaded, spring lifting lever fitted with each valve, victaulic flanged openings, bronze valve and manifold, Dwg. No. PV-120 and PV-121 dated 15 November 1938, approved for 3", 4", and 6" valves for use with inflammable or combustible liquids of Grade A or lower in closed venting system, manufactured by Butterworth System, Inc., Bayonne, N. J.

Approval No. 162.017/6/0, Oceco type T pressure vacuum relief valves, weight loaded, atmospheric pattern, outlets fitted with flame screen, cast iron body, aluminum valve and guide rod, spindle guided valves, Dwg. No. 9788-A dated 6 December 1945, approved for sizes 3" and 4" for use with inflammable or combustible liquids of Grade A and lower grades, manufactured by The Johnson & Jennings Co., 877 Addison Road, Cleveland, Ohio.

Approval No. 162.017/7/0, Oceco type TC pressure vacuum relief valve, weight loaded, atmospheric pattern, outlets fitted with flame screen, cast iron body, aluminum valve and guide rod, cage guided valves, Dwg. No. 9788-A dated 6

December 1945, approved for sizes 3" and 4" for use with inflammable or combustible liquids of Grade A and lower grades, manufactured by The Johnson & Jennings Co., 877 Addison Road, Cleveland, Ohio.

Approval No. 162.017/8/0, Marelco nonreturn vent pipe valve, atmospheric pattern, hemispherical ball float type, bronze body, open top, Dwg. "4" non-return automatic vent pipe valve approved for sizes 2½" and above for use with inflammable or combustible liquids of Grade B or lower, manufactured by Marine Electric Co., 107 Main Street, Seattle, Wash.

Approval No. 162.017/9/0, McDonald type plate 925-T pressure vacuum relief valve, weight loaded, atmospheric pattern, flame arrester and conservation unit, Dwg. No. 47047 dated 30 August 1937, approved for 3" vent for use with inflammable or combustible liquids of Grade A or lower, manufactured by A. Y. McDonald Manufacturing Co., Dubuque, Iowa.

Approval No. 162.017/10/0, Vac-Rel type No. 1-F pressure vacuum relief valve, atmospheric pattern, weight loaded, low and high pressure types, complete with flame screen, bronze body, regular spindle or solid type, flanged or screened base, Dwg. No. 1-F-3IN, dated 2 July 1934, approved for 2½", 3", 3½" and 4" sizes for use with inflammable or combustible liquids of Grade B or lower in direct atmospheric vent system, manufactured by Mechanical Marine Co., 17 Battery Place, New York, N. Y.

Approval No. 162.017/11/0, Vac-Rel type No. 2-F pressure vacuum relief valve, atmospheric pattern, weight loaded, low and high pressure type, regular and special atmospheric types, complete with flame screen, bronze body, approved for sizes 2½" and 4" for use with inflammable or combustible liquids of Grade B or lower in direct atmospheric venting systems, manufactured by Mechanical Marine Co., 17 Battery Place, New York, N. Y.

Approval No. 162.017/12/0, Vac-Rel type No. 2-R pressure only relief valve, enclosed pattern, weight loaded, spill valve fitted with pressure pallet only, flame screen monel wire cloth, all bronze castings, Dwg. No. plate 25 and 27 dated 6 February 1940 and 9 November 1942 respectively, approved for 3", 4", 5", and 6" sizes for use with inflammable or combustible liquids of Grade A or lower in vent risers or overflow service in closed vent systems, manufactured by Mechanical Marine Co., 17 Battery Place, New York, N. Y.

Approval No. 162.017/13/0, Vac-Rel type No. 3 pressure vacuum relief valve, weight loaded, enclosed pattern, low and high pressure type fitted with or without lifting gear, bronze body, flanged connections, similar to plate No. 31, No. 3-6IN dated 26 September 1940, approved for sizes 3", 4", and 6" for use with inflammable or combustible liquids of Grade A or lower in closed vent systems, manufactured by Mechanical Marine Co., 17 Battery Place, New York, N. Y.

Approval No. 162.017/14/0, Vac-Rel type No. 3-F pressure vacuum relief valve, weight loaded, enclosed pattern, independent opening to atmosphere for

vacuum valve, low and high pressure types fitted with or without lifting gear, or spindle type pressure valve, duplex and triplex valve assemblies, all atmospheric inlets fitted with double monel flame screens, bronze body and manifolds, approved for sizes 3" and 4" for use with inflammable or combustible liquids of Grade A or lower in closed venting system, manufactured by Mechanical Marine Co., 17 Battery Place, New York, N. Y.

Approval No. 162.017/15/0, Vac-Rel type No. 3-V-4" vacuum relief valve, weight loaded, enclosed pattern, victaulic flanged connections, vacuum valve only, spindle or regular type valve, bronze body, Dwg. No. 3V4-1A dated 22 December 1945, approved for 4" diameter, for use with inflammable or combustible liquids of Grade A or lower in closed venting system for introduction of dehumidified air where only a vacuum valve is required, manufactured by Mechanical Marine Co., 17 Battery Place, New York, N. Y.

Approval No. 162.017/16/0, Morrison Fig. 148 pressure vacuum relief valve, weight loaded, atmospheric pattern, cast iron body, brass poppets, outlets fitted with monel flame screen, Dwg. No. M-2500 dated 25 September 1941, approved for 3" vent for use with inflammable or combustible liquids of Grade B or lower in direct atmospheric venting system, manufactured by Morrison Bros. Co., Dubuque, Iowa.

Approval No. 162.017/17/0, Morrison Fig. 149 pressure vacuum relief valve, weight loaded, atmospheric pattern, brass body, durabla composition discs, pressure vent, Dwg. No. B-1231 dated 18 December 1936, approved for 3" dia. vents, for use with inflammable or combustible liquids of Grade B or lower in direct atmospheric venting system, manufactured by Morrison Bros. Co., Dubuque, Iowa.

Approval No. 162.017/18/0, Morrison Fig. 153-A pressure vacuum relief valve, atmospheric pattern, outlet fitted with monel flame screen, weight or spring loaded pressure poppet, cast iron body, brass poppets, Dwg. No. M-2498, dated 23 September 1941, approved for sizes 3", 4", and 6" for use with combustible or inflammable liquids of Grade A or lower, manufactured by Morrison Bros. Co., Dubuque, Iowa.

Approval No. 162.017/19/0, Ohio Pattern Works Type No. 95-M pressure vacuum relief valve, weight loaded pressure disc valve, cast brass body and valves, atmospheric pattern, fitted with monel wire inner flame screen and brass wire lower flame screen, Dwg. No. DC-95-M-3", approved for 3" diameter for use with inflammable or combustible liquids of Grade A or lower, manufactured by Ohio Pattern Works & Foundry Co., 2735 Colerain Avenue, Cincinnati, Ohio.

Approval No. 162.017/20/0, Protectoseal Model No. 1554 pressure vacuum relief valve, spring loaded poppet-type valve, cast iron body, fitted with ratchet handle lever for relieving vacuum valve, Dwg. No. 1554 dated 4 June 1937, approved for size 4" diameter for use with inflammable and combustible liquids of Grade A or lower when fitted with approved flame arrester, manufactured by Protectoseal Co. of America, Chicago, Ill.

Approval No. 162.017/21/0, Shand & Jurs Fig. ST-432M pressure vacuum relief valve, all clime breather valve, spring loaded, atmospheric pattern, brass body and stainless steel spring, vacuum valve spring and weight loaded, fitted with flame arrester and weather hood, Dwg. No. ST-2846 dated 25 November 1939, approved for 3" diameter for use with inflammable and combustible liquids of Grade B or lower, manufactured by Shand & Jurs Co., Berkeley, Calif.

Approval No. 162.017/22/0, Shand & Jurs Fig. ST-1185 pressure vacuum relief valve, marine cargo breather, spring loaded, enclosed pattern with vacuum valve atmospheric inlet fitted with flame screen, pressure valve fitted with relieving lever, bronze body, stainless steel springs and bronze pallet valves, flanged ends, Dwg. No. ST-1185 dated 21 July 1936, approved for 4" size for use with inflammable or combustible liquids of Grade A or lower in closed venting system, manufactured by Shand & Jurs Co., Berkeley, Calif.

Approval No. 162.017/23/0, Shand & Jurs Fig. ST-4000 pressure vacuum relief valve, weight loaded, enclosed pattern, bronze body and pallet valves, fitted with pressure pallet lifting wheel, flanged ends, vacuum atmospheric inlet fitted with flame screen, Dwg. No. ST-4000 revised 9 September 1943, approved for 4" diameter for use with combustible or inflammable liquids of Grade A or lower in closed vent header system, manufactured by Shand & Jurs Co., Berkeley, Calif.

Approval No. 162.017/24/0, Shand & Jurs Fig. ST-4160 pressure vacuum relief valve, triplex manifold, weight loaded, enclosed pattern, bronze manifold and valves, fitted with hand wheel lifting gear for pressure pallets, victaulic coupling connections, vacuum atmospheric inlet fitted with flame screen, Dwg. No. ST-4160 revised 9 September 1943, approved for 4" size for use with inflammable or combustible liquids of Grade A or lower, manufactured by Shand & Jurs Co., Berkeley, Calif.

Approval No. 162.017/25/0, Shand & Jurs Fig. 4165 pressure only relief valve, weight loaded pressure pallet, atmospheric pattern, fitted with double flame screen, bronze body and pallets, flanged connection, Dwg. No. ST-4165 revised 9 September 1943, approved for 4" size for use with inflammable and combustible liquids of Grade A or lower in direct atmospheric vent riser, manufactured by Shand & Jurs Co., Berkeley, Calif.

Approval No. 162.017/26/0, Staytite type E pressure vacuum relief valve, conservation vent, weight and spring loaded, atmospheric pattern, standard and high pressure valve settings, high pressure valve (1.0 p. s. i.) fitted with phosphor bronze spring, cast iron body and aluminum alloy cages, seats and valves, Dwg. No. 30 "Conservation vent assembly" dated 18 May 1937, approved for 3" and 4" pipe sizes for use with inflammable or combustible liquids where flame arresters are not required, manufactured by The Staytite Co., Houston, Tex.

Approval No. 162.017/27/0, Staytite type "Valtor" pressure vacuum relief valve, combination vent valve flame arrester and snuffer, weight and spring

loaded atmospheric pattern, standard and high pressure valve settings, high pressure valve (1.0 p. s. i.) fitted with phosphor bronze spring, cast iron body and aluminum alloy cages, seats and valves, aluminum flame arrester plate bank, Dwg. Nos. 12, 16, 25, 28, and 35, marked "Staytite Valtor" with pipe size cast in body, approved for 3" and 4" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Staytite Co., Houston, Tex.

Approval No. 162.017/28/0, Varec Fig. No. 20, pressure vacuum relief valve, atmospheric pattern, weight loaded valves, aluminum body, hyperbolic pressure and vacuum pallet valves, Dwg. No. C-1-A-4 dated 29 July 1931, approved for 2½", 3", 4", 6", and 8" pipe sizes for use with inflammable and combustible liquids of Grade A or lower in open atmospheric venting system when fitted with an approved flame arrester, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/29/0, Varec Fig. No. 20A, pressure vacuum relief valve, open atmospheric pattern fitted with manually operated flame snuffer for closing pressure valve, weight loaded, aluminum body, hyperbolic pressure and vacuum pallet valves, Dwg. No. C-1-A11 dated 14 January 1936, approved for 2½", 3", 4", 6", and 8" pipe sizes, for use with inflammable and combustible liquids of Grade A or lower in an open vent line when fitted with an approved flame arrester, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/30/0, Varec Fig. No. 20B, pressure vacuum relief valve, open atmospheric pattern, fitted with manually operated snuffer attached to valve outlet, weight loaded, aluminum body, hyperbolic pressure and vacuum pallet valves, Catalog No. P-7, approved for 2½", 3", 4", 6", and 8" pipe sizes for use with inflammable and combustible liquids of Grade A or lower in an open vent line when fitted with an approved flame arrester, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/31/0, Varec Fig. No. 22, pressure vacuum relief valve, atmospheric pattern, weight loaded valves, aluminum body, hyperbolic pressure and vacuum pallet valves, Dwg. No. C-20-A dated 25 July 1935, Catalog No. P-7, approved for 4", 6", and 8" pipe sizes for use with inflammable and combustible liquids of Grade A or lower in an open vent line when fitted with an approved flame arrester, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/32/0, Varec Fig. No. 22A, pressure vacuum relief valve, atmospheric pattern, weight loaded valves, fitted with manually operated flame snuffer for closing pressure valve, hyperbolic pressure and vacuum pallet valves, Dwg. No. C-20-A2 dated 25 July 1935, Catalog P-7, approved for 4", 6", and 8" pipe sizes for use with inflammable and combustible liquids of Grade A or lower in an open vent line when fitted with an approved flame arrester, manufactured by The Vapor Recovery Systems

## NOTICES

Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/33/0, Varec Fig. No. 30, pressure vacuum relief valve, enclosed pattern, weight loaded, bronze body, fitted with vacuum valve unloader, hyperbolic pressure and vacuum valves, Dwg. No. C-30-A1 dated 3 November 1936, approved for 2½", 3", and 4" pipe sizes, for use with inflammable and combustible liquids of Grade A or lower in a closed venting system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/34/0, Varec Fig. No. 30A, pressure vacuum relief valve, enclosed pattern, weight loaded, bronze body, without valve unloader, hyperbolic pressure and vacuum valves, Dwg. No. C-30-A1 dated 3 November 1936, approved for 2½", 3", and 4" pipe sizes, for use with inflammable and combustible liquids of Grade A or lower in a closed venting system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/35/0, Varec Fig. No. 30B, pressure vacuum relief valve, enclosed pattern, weight loaded, bronze body, fitted with pressure valve unloader, hyperbolic pressure and vacuum valves, Dwg. No. C-30-A1 dated 3 November 1936, approved for 2½", 3", and 4" pipe sizes, for use with inflammable and combustible liquids of Grade A or lower in a closed venting system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/36/0, Varec Fig. No. 31, pressure vacuum relief valve, open atmospheric pattern, weight loaded, bronze body, hyperbolic pressure and vacuum relief valves, Dwg. No. C-30-A2 dated 20 January 1937, Catalog P-7, approved for 2½", 3", and 4" pipe sizes for use with inflammable and combustible liquids of Grade A or lower in an open atmospheric venting system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/37/0, Varec Fig. No. 32, pressure vacuum relief valve, atmospheric pattern, weight loaded, all bronze body and valves, fitted with double flame screens, female pipe threaded side connection, Dwg. No. C-30-A3 dated 10 December 1937, approved for 2½", 3", 4", and 6" pipe sizes, for use with inflammable and combustible liquids of Grade A or lower in open atmospheric venting system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/38/0, Varec Fig. No. 32B, pressure vacuum relief valve, atmospheric pattern, weight loaded, all bronze body and valves, fitted with double flame screens, flanged side connection, Dwg. No. C-30-A3 dated 10 December 1937, approved for 2½", 3", 4", and 6" pipe sizes, for use with inflammable and combustible liquids of Grade A or lower in open atmospheric venting system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/39/0, Varec Fig. No. 32D, pressure vacuum relief valve, atmospheric pattern dead weight loaded valves, all bronze body and valves, female

pipe threaded connections, Dwg. No. C-748 dated 4 November 1946, approved for 2½", 3", and 4" pipe sizes, for use with inflammable and combustible liquids of Grade A or lower in closed venting systems where the atmospheric opening is protected by a flame screen, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/40/0, Varec Fig. No. 33, pressure vacuum relief valve, triplex, weight loaded, enclosed pattern, bronze body, victaulic coupling connections, Dwg. No. C-537 dated 12 June 1944, approved for 8" victaulic connection for vent header and 4" victaulic tank connections, for use with inflammable or combustible liquids of Grade A or lower in closed vent header system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/41/0, Varec Fig. No. 33A, pressure vacuum relief valve, triplex, weight loaded, enclosed pattern, bronze body, victaulic coupling connections, fitted with vacuum valve unloader, Dwg. No. C-537 dated 12 June 1944, approved for 8" victaulic connection for vent header and 4" victaulic tank connections, for use with inflammable or combustible liquids of Grade A or lower in closed vent header system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/42/0, Varec Fig. No. 33B, pressure vacuum relief valve, triplex, weight loaded, enclosed pattern, bronze body, victaulic coupling connections, fitted with pressure valve unloader, Dwg. No. C-537 dated 12 June 1944, approved for 8" victaulic connection for vent header and 4" victaulic tank connections, for use with inflammable or combustible liquids of Grade A or lower in closed vent header system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/43/0, Varec Fig. No. 34A, pressure vacuum relief valve, enclosed pattern, weight loaded, atmospheric vacuum valve inlet, fitted with vacuum valve lifting screw, all bronze valve, Dwg. No. DX-111 dated 23 April 1940, approved for 2½", 3", 4", and 6" pipe sizes, for use with inflammable and combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/44/0, Varec Fig. No. 34B, pressure vacuum relief valve, enclosed pattern, weight loaded valves, atmospheric vacuum valve inlet, fitted with pressure valve lifting screw, all bronze body and valves, Dwg. No. DX-94, Alt. C, dated 16 December 1946, approved for sizes 2½", 3", and 4" for use with inflammable or combustible liquids of Grade A or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/45/0, Varec Fig. No. 35, pressure vacuum relief valve, atmospheric pattern, weight loaded, all bronze, fitted with double flame screens, flanged connections, Dwg. No. D-543 dated 27 August 1943, approved for 2½",

3", 3½", and 4" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower in direct atmospheric venting system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/46/0, Varec Fig. No. 35A, pressure vacuum relief valve, atmospheric pattern, weight loaded, all bronze, fitted with double flame screens, female screwed connections, Dwg. No. D-543 dated 27 August 1943, approved for 2½", 3", 3½", and 4" pipe sizes, for use with inflammable or combustible liquids of Grade A or lower in direct atmospheric venting system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/47/0, Varec Fig. 37, pressure vacuum relief valve, duplex, enclosed pattern, weight loaded, flanged connections, bronze body, Dwg. No. C-495 dated 8 November 1944, approved for 3" and 4" pipe size tank connections and 4" and 6" victaulic vent header connections, for use with inflammable or combustible liquids of Grade A or lower in closed vent header system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/48/0, Varec Fig. 37A, pressure vacuum relief valve, duplex, enclosed pattern, weight loaded, flanged connections, bronze body, fitted with vacuum valve unloader, Dwg. No. C-495 dated 8 November 1944, approved for 3" and 4" pipe size tank connections and 4" and 6" victaulic vent header connections, for use with inflammable or combustible liquids of Grade A or lower in closed vent header system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/49/0, Varec Fig. 37B, pressure vacuum relief valve, duplex, enclosed pattern, weight loaded, flanged connections, bronze body, fitted with pressure valve unloader, Dwg. No. C-495 dated 8 November 1944, approved for 3" and 4" pipe size tank connections and 4" and 6" victaulic vent header connections, for use with inflammable or combustible liquids of Grade A or lower in closed vent header system, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/50/0, Varec Fig. No. 73, pressure relief valve and spill valve, atmospheric pattern, weight loaded valve, all bronze body and valve, flanged connections, Dwg. No. C-642 dated 12 December 1944, approved for 2½", 3", 3½", 4", 5", 6", and 8" pipe size, for use with inflammable and combustible liquids of Grade A or lower in open atmospheric venting system when used in conjunction with an approved flame arrester, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/51/0, Varec Fig. No. 73A, pressure relief valve and spill valve, atmospheric pattern, weight loaded valve, all bronze body and valve, screwed connections, Dwg. No. C-642 dated 12 December 1944, approved for 2½", 3", 3½", 4", 5", 6", and 8" pipe size, for use with inflammable and com-

bustible liquids of Grade A or lower in open atmospheric venting system when used in conjunction with an approved flame arrester, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/52/0, Varec Fig. No. 530, inverted ball vent check valve, weight loaded ball check, atmospheric pattern, all bronze, flanged connection, fitted with cover, and flame screens, Bulletin No. M-4, approved for 2½", 3", 3½", 4", 5", 6", and 8" pipe sizes, for use with inflammable or combustible liquids or Grade D or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/53/0, Varec Fig. No. 531, inverted ball vent check valve, weight loaded ball check, atmospheric pattern, all bronze, screwed connection, fitted with cover and flame screens, Bulletin No. M-4, approved for 2½", 3", 3½", 4", 5", 6", and 8" pipe sizes, for use with inflammable or combustible liquids of Grade D or lower, manufactured by The Vapor Recovery Systems Co., 2820 North Alameda Street, Compton, Calif.

Approval No. 162.017/54/0, Wheaton type 93 pressure vacuum relief valve, weight loaded, atmospheric pattern, bronze body and poppet valves, fitted with flame screen, male screwed bottom connection, Dwg. No. 2137 and 17 May 1937—2" and 3" type 93 vent valve assembly, approved for sizes 2½", 3", and 4", for use with inflammable or combustible liquids of Grade A or lower in direct atmospheric venting system, manufactured by A. W. Wheaton Brass Works, Newark, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275; 46 CFR 32.7-4.

#### LIQUEFIED PETROLEUM GAS VALVES, FITTINGS, AND GAUGES

Approval No. 162.018/1/0, Type M-A-1 American Car and Foundry angle valve, liquefied petroleum gas service, steel body, Dwg. No. 31-645, approved for 2" diameter pipe size, manufactured by American Car & Foundry Co., 30 Church Street, New York, N. Y.

Approval No. 162.018/2/0, Type MC-1 American Car and Foundry check valve, liquefied petroleum gas service, steel body, Dwg. No. 11-646 dated 3 July 1941, approved for 2" diameter pipe size, manufactured by American Car & Foundry Co., 30 Church Street, New York, N. Y.

Approval No. 162.018/3/0, Type MS-6 American Car and Foundry pop type safety relief valve, liquefied petroleum gas service, steel body, resilient composition gasketed type, flanged connection, Dwg. No. 31-11-867b, dated 12 June 1946, approved for 1.3136 sq. in. valve seat opening, maximum allowable working pressure 250 p. s. i., manufactured by American Car & Foundry Co., 30 Church Street, New York, N. Y.

Approval No. 162.018/4/0, Type MS-7 American Car and Foundry pop type safety relief valve, liquefied petroleum gas service, steel body, resilient composition gasketed type, flanged connection, Dwg. No. 31-11-868B, dated 12 June 1946,

approved for 1.5764 sq. in. valve seat opening, maximum allowable working pressure 250 p. s. i., manufactured by American Car & Foundry Co., 30 Church Street, New York, N. Y.

Approval No. 162.018/5/0, Type MS-8 American Car and Foundry pop type safety relief valve, liquefied petroleum gas service, steel body, resilient composition gasketed type, flanged connection, Dwg. No. 31-11-869B dated 12 June 1946, approved for 3.44 sq. in. valve seat opening, maximum allowable working pressure 250 p. s. i., manufactured by American Car & Foundry Co., 30 Church Street, New York, N. Y.

Approval No. 162.018/6/0, Rego pop type safety relief valve, liquefied petroleum gas service, marked "Rego No. 2417", bronze body, resilient composition seat disc, threaded connection, Dwg. No. 2417 and Catalog No. L-500, approved for 2" pipe size, maximum allowable working pressure 100 p. s. i., manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/7/0, Rego excess flow check valves, liquefied petroleum gas service, marked "Rego No. 2137", plug check poppet, spring loaded, bronze body, threaded connection, Dwg. No. 2137 and Catalog No. L-500 Section LG, approved for 2" pipe size, for maximum working pressure of 150 p. s. i. with liquefied butane or propane, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/8/0, Rego excess flow check valves, liquefied petroleum gas service, marked "Rego No. 2138", plug check poppet, spring loaded, bronze body, threaded connection, Dwg. No. 2138 and Catalog No. L-500 Section LG, approved for 2½" pipe size, for maximum working pressure of 150 p. s. i. with liquefied butane or propane, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/9/0, Rego excess flow check valves, liquefied petroleum gas service, marked "Rego No. 2139", plug check poppet, spring loaded, bronze body, threaded connection, Dwg. No. 2139 and Catalog No. L-500 Section LG, approved for 3" pipe size, for maximum working pressure of 150 p. s. i. with liquefied butane or propane, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/10/0, Roney rotary liquid level gauge, liquefied petroleum gas service, marked "Rego No. 2472," bronze body, Dwg. No. 2472 dated 8 April 1939, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/11/0, Roney rotary liquid level gauge, liquefied petroleum gas service, marked "Rego No. 2472A," bronze body, Dwg. No. 2472A dated 8 April 1939, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/12/0, Roney rotary liquid level gauge, liquefied petroleum gas service, marked "Rego No. 2472B," bronze body, Dwg. No. 2472B dated 30 June 1939, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/13/0, Rego fixed liquid level gauge, liquefied petroleum gas service, marked "Rego No. 2163"; bronze body, fitted with vent hole and seal plug, Dwg. No. 2163 and Catalog No. L500 Section LJ, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/14/0, Rego slip tube liquid level gauge, liquefied petroleum gas service, marked "Rego No. 2148R", bronze body, Dwg. No. 2148R, revised 22 May 1941, Alt. E and Catalog L500 Section LJ, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/15/0, Rego tank angle valve, liquefied petroleum gas service, marked Rego No. 2892, bronze body, paraprene valve disc and c. i. rubber diaphragm, flanged tank connection, Dwg. No. 2892, revised 10 April 1941, Alt. G and Catalog L-500 Section LE, approved for 1¼" port opening, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.018/16/0, Type 2680 Farris pop type safety relief valve, liquefied petroleum gas service, steel body, metal-to-metal valve seat, flanged connections, Dwg. No. 1394-B-CG dated 1 November 1946, approved for sizes 1½", 2", 2½", 3", 4", and 6" diameters and the following orifice areas: 22F—0.307 sq. in., 30H—0.785 sq. in., 34J—1.286 sq. in., 38K—1.838 sq. in., 42L—2.85 sq. in., 44N—4.34 sq. in., 46P—6.38 sq. in., 50Q—11.045 sq. in.; maximum allowable pressures of 150 p. s. i. and 300 p. s. i., ASA Standards, manufactured by Farris Engineering Co., Commercial Avenue, Palisades Park, N. J.

Approval No. 162.018/17/0, Model No. 62B Metal Goods Manufacturing liquefied petroleum gas tank gauge, slip tube type, Dwg. No. L101 and L102, sheets 1 to 14, inclusive, dated 14 February 1942, manufactured by Metal Goods Manufacturing Co., Bartlesville, Okla.

Approval No. 162.018/18/0, Type 1610W Consolidated pop type safety relief valve, liquefied petroleum gas service, steel body, metal-to-metal valve seat, flanged connections, Dwg. No. W-9-B6, dated 4 April 1947, approved for sizes 3", 4", and 6" diameters, and following orifice areas: K—1.838 sq. in., L—2.853 sq. in., and Q—11.05 sq. in.; maximum allowable pressure 300 p. s. i., manufactured by Manning, Maxwell & Moore, Inc., Elias Street, Bridgeport 2, Conn.

Approval No. 162.018/19/0, Type 1611W consolidated pop type safety relief valve, liquefied petroleum gas service, steel body, metal-to-metal valve seat, flanged connections, Dwg. No. W-9-B6 dated 4 April 1947, approved for sizes 3", 4", and 6" diameters, and following orifice areas: K—1.838 sq. in., L—2.853 sq. in., and Q—11.05 sq. in.; maximum allowable pressure 300 p. s. i., manufactured by Manning, Maxwell & Moore, Inc., Elias Street, Bridgeport 2, Conn.

Approval No. 162.018/20/0, Type 1612W Consolidated pop type safety relief valve, liquefied petroleum gas service, steel body, metal-to-metal valve seat, flanged connections, Dwg. No. W-9-B6, dated 4 April 1947, approved for sizes 3", 4", and 6" diameters, and following

## NOTICES

orifice areas: K—1.838 sq. in., L—2.853 sq. in., and Q—11.05 sq. in.; maximum allowable pressure 300 p. s. i., 4" size supplied with 300-pound and 600-pound inlet flange, manufactured by Manning, Maxwell & Moore, Inc., Elias Street, Bridgeport 2, Conn.

Approval No. 162.018/21/0, Type 1613-AW Consolidated pop type safety relief valve, liquefied petroleum gas service, steel body, metal-to-metal valve seat, flanged connections, Dwg. No. W-9-B6, dated 4 April 1947, approved for size 4" diameter and orifice area N-4.34 sq. in., maximum allowable pressure 300 p. s. i., manufactured by Manning, Maxwell & Moore, Inc., Elias Street, Bridgeport 2, Conn.

Approval No. 162.018/22/0, Type 1613-BW Consolidated pop type safety relief valve, liquefied petroleum gas service, steel body, metal-to-metal valve seat, flanged connections, Dwg. No. W-9-B6, dated 4 April 1947, approved for size 4" diameter and orifice area N-4.34 sq. in., maximum allowable pressure 300 p. s. i., manufactured by Manning, Maxwell & Moore, Inc., Elias Street, Bridgeport 2, Conn.

ADDITIONAL AUTHORITY: R. S. 4417a and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275; 46 CFR Part 38.

## GAS RANGES USING PROPANE OR BUTANE GASES

Approval No. 162.020/1/0, Garland Type 83-24 propane gas range. Tested and approved by the American Gas Association. Drawing dated 28 February 1945 and specification sheet "Garland Restaurant Gas Ranges", manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue, East, Detroit, Mich.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1544, 54 Stat. 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 463a, 1333, 50 U. S. C. 1275; 46 CFR 32.9-11, 61.25, 77.24, 95.24, 114.25.

## BOILER FEEDWATER REGULATORS AND LOW WATER ALARMS

Approval No. 162.024/1/0, Weir boiler feedwater regulator, float operated regulating valve, Dwg. No. 1252 dated 22 November 1943, approved for 3-inch size, maximum working pressure 600 p. s. i., manufactured by General Regulator Corp., 165 Broadway, New York, N. Y.

Approval No. 162.024/2/0, Copes type "P" boiler feedwater regulator, remote type flowmatic regulator and feedwater regulator for combination feed systems, fitted with Copes' type "P" thermostat and type "SLD" control valve, Dwg. Nos. 23716-M dated 10 June 1944 and 23712-L dated 22 August 1944; type approval only; drawings listed herein are for basic designs only; where specific working drawings of installations differ from basic design drawings, such drawings shall carry as cross reference basic design drawing number or numbers. Manufactured by Northern Equipment Co., Erie 6, Pa.

Approval No. 162.024/3/0, Copes type "B1" boiler feedwater regulator, direct lever operated control valve, Copes marine triangular thermostat, Copes type "B1" control valve, Dwg. Nos. 23709-M dated 11 March 1943 and 23708-M dated 27 February 1945; type approval only; drawings listed herein are for basic de-

signs only; where specific working drawings of installations differ from basic design drawings, such drawings shall carry as cross reference basic design drawing number or numbers. Manufactured by Northern Equipment Co., Erie 6, Pa.

Approval No. 162.024/4/0, Copes type "SLH" boiler feedwater regulator, Marine flowmatic feedwater regulator, relay operated and pilot operated control valve, Copes marine type thermostat, Dwg. Nos. 23713-M dated 1 March 1945, 23715-M dated 21 December 1944, and 23606-M; type approval only; drawings listed herein are for basic designs only; where specific working drawings of installations differ from basic design drawings, such drawings shall carry as cross reference basic design drawing number or numbers. Manufactured by Northern Equipment Co., Erie 6, Pa.

Approval No. 162.024/5/0, Copes direct operated flowmatic type boiler feedwater regulator, spring operated diaphragm control valve, Dwg. No. 23714-M dated 21 December 1944 and Bulletin No. 429A dated January 1943, Copes Flowmatic Regulator; type approval only; drawings listed herein are for basic designs only; where specific working drawings of installations differ from basic design drawings, such drawings shall carry as cross reference basic design drawing number or numbers. Manufactured by Northern Equipment Co., Erie 6, Pa.

Approval No. 162.024/6/0, Copes remote control flowmatic marine type feedwater regulator, thermostat with flowmatic element and pilot valve for remote control, combination feed system fitted with type "SLD" control valve, Dwg. No. 23717-L dated 1 March 1945; type approval only; drawings listed herein are for basic designs only; where specific working drawings of installations differ from basic design drawings, such drawings shall carry as cross reference basic design drawing number or numbers. Manufactured by Northern Equipment Co., Erie 6, Pa.

Approval No. 162.024/7/0, "Peco-Campbell" series 30 and series 60 boiler feedwater regulating and signaling system, fitted with pump control for high-low water level signal and alarm panels, Dwg. Nos. 300-1 revised 7 July 1945 (300 p. s. i.) and 600-1 revised 7 July 1945 (600 p. s. i.), approved for maximum working pressure of 600 p. s. i., manufactured by Proctor Engineering Co., 106 Key Highway, Baltimore, Md.

Approval No. 162.024/8/0, Ohio low water alarm, steam whistle warning, for use in Scotch type marine boilers, tin fusible plug operating steam whistle, Dwg. No. 907-W dated 25 May 1928, manufactured by The Ohio Injector Co., 53 West Jackson Boulevard, Chicago, Ill.

ADDITIONAL AUTHORITY: R. S. 4417a, 4418, 4426, 4433, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244 as amended; 46 U. S. C. 367, 391a, 392, 404, 411, 1333, 50 U. S. C. 1275; 46 CFR Part 52.

## SECONDARY BOILER FEED WATER LEVEL INDICATOR

Approval No. 162.025/1/0, Reliance Eye-Hye secondary boiler water gauge, remote boiler water level indicator, models E-10 (650 p. s. i.), E-11 (650

p. s. i.), E-12 (250 p. s. i.), E-13 (250 p. s. i.), E-14 (1,500 p. s. i.), and E-16 (1,500 p. s. i.), U tube differential pressure gauge direct connected to primary water column gauge, similar Dwg. No. 4330 dated 15 June 1938 and No. 4371 dated 4 December 1940, approved for maximum working pressure of 1,500 p. s. i., manufactured by The Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland, Ohio.

Approval No. 162.025/2/0, Diamond bi-color secondary boiler water level gauge, remote water level indicator, through vision gauge and remote reading color gauge illuminator, Forms 888 and 900 dated June 1941 and Bulletin No. 892A (remote reading color gauge illuminator considered an auxiliary gauge), manufactured by Diamond Power Specialty Corp., Detroit 31, Mich.

Approval No. 162.025/3/0, McNeill secondary boiler water gauge, remote boiler water level indicator, concentric mercury U tube design, Dwg. No. 213G and 214G and Bulletin No. 1001G (remote reading gauge shall be used only as an auxiliary gauge glass), manufactured by McNeill Engineering Co., 4057 West Van Buren St., Chicago, Ill.

Approval No. 162.025/4/0, Reliance secondary boiler water gauge, prismatic periscope type remote boiler water level indicator Dwg. No. B-5231 dated 19 June 1942 and Catalog No. 434, approved for type design only, manufactured by The Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland, Ohio.

Approval No. 162.025/5/0, Bailey types LS1, LS35 and LS47 secondary boiler water gauge, remote water level indicator and recorder, Dwg. Nos. C304886-C revised 22 September 1941, B341274A dated 18 September 1940, A306610-B dated 28 April 1943, and A306611-B dated 28 April 1943, manufactured by Bailey Meter Co., 1050 Ivanhoe Road, Cleveland, Ohio.

Approval No. 162.025/6/0, Yarway Figs. 4312, 4314, 4316, and 4318 boiler water gauge, remote water level indicator, marine type, Dwg. Nos. EL-904-971 (125 p. s. i.) dated 19 February 1946, EL-904-972 (600 p. s. i.) dated 18 February 1946, EL-904-973 (900 p. s. i.) dated 18 February 1946, and EL-904-974 (1500 p. s. i.) dated 16 February 1946, and Bulletin No. WG-1820, approved for maximum steam pressure of 1500 p. s. i., manufactured by Yarnall-Waring Co., Chestnut Hill, Philadelphia 18, Pa.

ADDITIONAL AUTHORITY: R. S. 4417a, 4418, 4426, 4433, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 392, 404, 411, 1333, 50 U. S. C. 1275; 46 CFR Part 52.

## DECK COVERING

Approval No. 164.006/1/0, Miller Marine magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG 3610-969; FR-1459 dated 10 June 1939, approved for use without other insulating material as meeting Class A-60 requirements in a 1 1/2-inch thickness, manufactured by Miller Marine Decking, Inc., 230 Park Avenue, New York 17, N. Y.

Approval No. 164.006/2/0, Selbalith magnesite type deck covering identical

to that described in National Bureau of Standards Test Report No. TG-3610-1215; FR 1779 dated 2 July 1940, approved for use without other insulating material as meeting Class A-60 requirements in a 1½-inch thickness, manufactured by Selby, Battersby & Co., Wilford Building, Thirty-third and Arch Streets, Philadelphia 4, Pa.

Approval No. 164.006/3/0, Asbestolith magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG-3610-1214; FR 1778 dated 2 July 1940, approved for use without other insulating material as meeting Class A-60 requirements in a 2-inch thickness, manufactured by Asbestolith Manufacturing Corp., 257 Kent Street, Brooklyn, N. Y.

Approval No. 164.006/4/0, Federalite magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG 3610-1233; FR 1807 dated 30 October 1940, approved for use without other insulating material as meeting Class A-60 requirements in a 1¾-inch thickness, manufactured by Federal Lavarock, Inc., 36 East Thirtieth Street, New York 16, N. Y.

Approval No. 164.006/7/0, Armorite magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TP 367-72; FR 1836 dated 29 March 1941, approved for use without other insulating material as meeting Class A-60 requirements in thicknesses as follows: Underlayment only, 1½ inches, or underlayment 1¼ inches plus top coat ½ inch, manufactured by National Tile & Marble Co., 529 West Forty-sixth Street, New York 19, N. Y.

Approval No. 164.006/8/0, Case magnesite magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TP 367-73; FR 1842 dated 30 April 1941, approved for use without other insulating material as meeting Class A-60 requirements in a 1½-inch thickness, manufactured by L. S. Case Co., Seventh and Daggett Street, San Francisco 7, Calif.

Approval No. 164.006/9/0, Raecolith magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TP 367-76; FR 1866 dated 9 August 1941, approved for use without other insulating material as meeting Class A-60 requirements in a 1¾-inch thickness, manufactured by Raecolith Flooring Co., 5622 Corson Avenue, Seattle 8, Wash.

Approval No. 164.006/14/0, Leetol magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TP-367-83; FR 1932 dated 25 February 1942, approved for use without other insulating material as meeting Class A-60 requirements in a 1¼-inch thickness, manufactured by Wm. Lee Co., 1401 Third Street, San Francisco 7, Calif.

Approval No. 164.006/15/0, Moulstone magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TP 367-85; FR 1957 dated 15 April 1942, approved for use without other insulating material as meeting Class A-60 requirements in a 1¼-inch thickness, manufactured by Thos. Moulding Floor Manufacturing

Co., 165 West Wacker Drive, Chicago 1, Ill.

Approval No. 164.006/17/0, Kompolite plastic composition flooring, magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TP 367-88; FR 1978 dated 1 July 1942, approved for use without other insulating material as meeting Class A-60 requirements in a 1¾-inch thickness, manufactured by Kompolite Co., Inc., 111-115 Clay Street, Greenpoint, Brooklyn, N. Y.

Approval No. 164.006/20/0, Hubbellite magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TP 367-95; FR 2017 dated 28 November 1942, approved for use without other insulating material as meeting Class A-60 requirements in a 1½-inch thickness, manufactured by H. H. Robertson Co., Pittsburgh, Pa.

Approval No. 164.006/21/0, Kompolite decking type II magnesite type deck covering in accordance with the manufacturer's letter of 2 June 1945, approved for use without other insulating material as meeting Class A-60 requirements in a 1¾-inch thickness, manufactured by Kompolite Co., Inc., 111-115 Clay Street, Greenpoint, Brooklyn, N. Y.

Approval No. 164.006/22/0, Kompolite type CU light weight magnesite type deck covering in accordance with the manufacturer's letter of 2 June 1945, approved for use without other insulating material as meeting Class A-60 requirements in a 1¾-inch thickness, manufactured by Kompolite Co., Inc., 111-115 Clay Street, Greenpoint, Brooklyn, N. Y.

Approval No. 164.006/23/0, Dex-O-Tex Magnabond No. 1, composite mastic and magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TP 367-116; FR-2395 dated 11 July 1945, approved for use without other insulating material as meeting Class A-15 requirements in the thickness noted below: Dex-O-Tex Subkote No. 1 underlayment ¼ inch, plus magnesite overlay ⅜ inch, manufactured by Crossfield Products Corp., 191 Centre Street, Brooklyn 31, N. Y.

ADDITIONAL AUTHORITY: R. S. 4417a, 4428, 49 Stat. 1384, 1544, 54 Stat. 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended, 46 U. S. C. 367, 369, 391a, 404, 463a, 1333, 50 U. S. C. 1275; 46 CFR 146.006.

#### STRUCTURAL INSULATIONS

Approval No. 164.007/1/0, "48" C. G. Felt, mineral wool type structural insulation identical to that described in National Bureau of Standards Test Report No. TG 3610-1372; FR-2235 dated 1 April 1944, Bats and blankets approved for use without other insulating material to meet Class A-60 requirements in thicknesses and densities as follows: 3 inches at 8 pounds per cu. ft. density, 4 inches at 6 pounds per cu. ft. density. Manufactured by Forty-Eight Insulations, Inc., Aurora, Ill.

Approval No. 164.007/2/0, Spraykote, plaster type structural insulation identical to that described in National Bureau of Standards letter, File III-6/23, dated 2 June 1944, approved for use without other insulating material to meet Class A-60 requirements in thicknesses

and densities as follows: 3 inches at 12 pounds per cu. ft. density, 4 inches at 8 pounds per cu. ft. density. Manufactured by Sprayed Insulation, Inc., 78 Hawthorne Place, Montclair, N. J.

Approval No. 164.007/3/0, Eagle Felt M-2, mineral wool type structural insulation identical to that described in National Bureau of Standards letter, File III-6/ITF dated 24 November 1939, bats, blankets, or fill approved for use without other insulating material to meet Class A-60 requirements in thicknesses and densities as follows: 3 inches at 10 pounds per cu. ft. density (loose fill), 4 inches at 8 pounds per cu. ft. density (loose fill), 3 inches at 8 pounds per cu. ft. density (bats or blankets), and 4 inches at 6 pounds per cu. ft. density (bats or blankets). Manufactured by The Eagle-Pitcher Sales Co., 420 Lexington Avenue, New York 17, N. Y.

Approval No. 164.007/4/0, Fibrespray, plaster type structural insulation identical to that described in National Bureau of Standards letter, File III-6/36, dated 25 June 1943, approved for use without other insulating material to meet Class A-60 requirements in thicknesses and densities as follows: 3 inches at 12 pounds per cu. ft. density, and 4 inches at 8 pounds per cu. ft. density. Manufactured by Acoustics, Inc., Commercial Trust Building, Philadelphia 2, Pa.

Approval No. 164.007/5/0, ATOZ, plaster type structural insulation identical to that described in National Bureau of Standards letter, File III-6/3519-43, dated 24 August 1940, approved for use without other insulating material to meet Class A-60 requirements in a 2-inch thickness and 30 pounds per cu. ft. density, manufactured by American Acoustics, Inc., 120 South LaSalle Street, Chicago 3, Ill.

Approval No. 164.007/6/0, J-M BX-4M, mineral wool type structural insulation identical to that described in National Bureau of Standards Test Report No. TG-3619-36; FR-1404 dated 17 May 1939, bats and blankets approved for use without other insulating material to meet Class A-60 requirements in thicknesses and densities as follows: 3 inches at 8 pounds per cu. ft. density, and 4 inches at 6 pounds per cu. ft. density. Manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.007/7/0, J-M No. 450 Cement, mineral wool cement type structural insulation identical to that described in National Bureau of Standards Test Report No. TG-3619b; FR-1466b dated 7 July 1939, approved for use without other insulating material to meet Class A-60 requirements in a 3½-inch thickness and 30 pounds per cu. ft. density, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.007/8/0, J-M BX-18, mineral wool type structural insulation identical to that described in National Bureau of Standards Test Report No. TG-3619-36; FR-1404 dated 17 May 1939, boards approved for use without other insulating material to meet Class A-60 requirements in a 2-inch thickness and 18 pounds per cu. ft. density, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

## NOTICES

Approval No. 164.007/9/0, J-M 202AA, mineral wool type structural insulation identical to that described in National Bureau of Standards Test Report No. TG-3619-36; FR-1404 dated 17 May 1939, blankets with asbestos paper facings approved for use without other insulating materials to meet Class A-60 requirements in a 3-inch thickness and 16 pounds per cu. ft. density, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.007/10/0, Rockwool, mineral wool type structural insulation identical to that described in National Bureau of Standards Test Report No. TG-3619-36; FR-1404 dated 17 May 1939, bats and blankets approved for use without other insulating material to meet Class A-60 requirements in thicknesses and densities as follows: 3 inches at 8 pounds per cu. ft. density, and 4 inches at 6 pounds per cu. ft. density. Manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.007/11/0, Bacute cold set cement, plaster type structural insulation identical to that described in National Bureau of Standards Test Report No. TG 3619-36; FR-1404 dated 17 May 1939, approved for use without other insulating material to meet Class A-60 requirements in a 2-inch thickness and 30 pounds per cu. ft. density, manufactured by The Bird-Archer Co., 4337 North American Street, Philadelphia 40, Pa.

Approval No. 164.007/12/0, Tuco Zeroce, mineral wool type structural insulation identical to that described in National Bureau of Standards Test Report No. TG 3619-36; FR-1404 dated 17 May 1939, bats and blankets approved for use without other insulating material to meet Class A-60 requirements in thicknesses and densities as follows: 3 inches at 8 pounds per cu. ft. density, and 4 inches at 6 pounds per cu. ft. density, manufactured by Tuco Products Corp., 30 Church Street, New York 7, N. Y.

Approval No. 164.007/13/0, Sprayed limpet asbestos, sprayed asbestos fiber type structural insulation identical to that described in National Bureau of Standards Test Report No. TG 3619-36; FR-1404 dated 17 May 1939, approved for use without other insulating material to meet Class A-60 requirements in a 3-inch thickness and 12 pounds per cu. ft. density, manufactured by Keasbey & Mattison Co., Ambler, Pa.

Approval No. 164.007/14/0, Fiberglas cement, glass fiber cement type structural insulation identical to that described in National Bureau of Standards Test Report No. TG 3619-37a; FR-1466a dated 7 July 1939, approved for use without other insulating material to meet Class A-60 requirements in a 4-inch thickness and 30 pounds per cu. ft. density, manufactured by Owens-Corning Fiberglass Corp., Toledo 1, Ohio.

Approval No. 164.007/15/0, Gold Bond type 2 zeroce, mineral wool type structural insulation identical to that described in National Bureau of Standards Test Report No. TG 3619-36; FR-1404 dated 17 May 1939, bats and blankets approved for use without other insulating material to meet Class A-60 requirements in thicknesses and densities as

follows: 3 inches at 8 pounds per cu. ft. density, and 4 inches at 6 pounds per cu. ft. density. Manufactured by National Gypsum Co., Buffalo 2, N. Y.

Approval No. 164.007/16/0, J-M Acoustic sheet, mineral wool type structural insulation identical to J-M BX-18 described in National Bureau of Standards Test Report No. TG-3619-36; FR-1404 dated 17 May 1939, with special sanded surface, boards approved for use without other insulating material to meet Class A-60 requirements in a 2-inch thickness and 18 pounds per cu. ft. density, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.007/17/0, J-M Marine acoustical unit, mineral wool type structural insulation identical to J-M BX-18 described in National Bureau of Standards Test Report No. TG-3619-36; FR-1404 dated 17 May 1939, with special sanded surface and  $\frac{1}{16}$ th inch perforated J-M Marine Veneer added, boards approved for use without other insulating material to meet Class A-60 requirements in a 2-inch thickness and 18 pounds per cu. ft. density exclusive of the J-M Marine Veneer, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.007/18/0, Baldwin-Hill 6-lb. felt, mineral wool type structural insulation identical to that described in National Bureau of Standards letter, File III-6/26, dated 16 July 1943, approved for use without other insulating material to meet Class A-60 requirements in a 4-inch thickness and 6 pounds per cu. ft. density, manufactured by Baldwin-Hill Co., 500 Breunig Avenue, Trenton 2, N. J.

Approval No. 164.007/19/0, Baldwin-Hill loose wool, mineral wool type structural insulation identical to that described in National Bureau of Standards letter, File III-6/36 dated 16 July 1943, approved for use without other insulating material to meet Class A-60 requirements in a 3-inch thickness and 11 pounds per cu. ft. density, manufactured by Baldwin-Hill Co., 500 Breunig Avenue, Trenton 2, N. J.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 369, 391a, 404, 463a, 1333, 50 U. S. C. 1275; 46 CFR Part 144.

## BULKHEAD PANELS

Approval No. 164.008/1/0, Bayer bulkhead 100, hollow steel, insulation filled bulkhead panel identical to that described in Protexol Testing Laboratory Test Report No. 120 dated 25 August 1943, approved as meeting Class B-15 requirements in a 1 $\frac{1}{2}$ -inch thickness when filled with Fiberglas insulation of 6 pounds per cu. ft. density, manufactured by A. J. Bayer Co., Slauson and Santa Fe Avenues, Los Angeles, Calif.

Approval No. 164.008/2/0, Aetna type FSI—Class B, hollow steel, insulation filled bulkhead panel identical to that described in Protexol Testing Laboratory Test Report No. 128 dated 19 November 1945, approved as meeting Class B-15 requirements in a 2-inch thickness when filled with two 1-inch blankets of type TW-MC Fiberglas insulation having a

density of 3 $\frac{1}{4}$  pounds per cu. ft., manufactured by Aetna Marine Corp., 61 Broadway, New York 6, N. Y.

Approval No. 164.008/3/0, Aetna Type FAI—Class B, hollow aluminum, insulation filled bulkhead panel identical to that described in Protexol Testing Laboratory Test Report No. 141 dated 7 October 1946, approved as meeting Class B-15 requirements in a 2-inch thickness when filled with two 1-inch blankets of J-M BX-4M insulation having a density of 4 pounds per cu. ft.; this panel shall not be used in Class A-60 construction without the approval of the Commandant for the specific location, manufactured by Aetna Marine Corp., 61 Broadway, New York 6, N. Y.

Approval No. 164.008/4/0, James McCutcheon & Co. hollow aluminum bulkhead, hollow aluminum, insulation filled bulkhead panel identical to that described in Protexol Testing Laboratory Test Report No. 125 dated 7 May 1945, and James McCutcheon & Co. Dwg. No. PWB-1 revised 17 July 1945, approved as meeting Class B-15 requirements in a 1 $\frac{1}{4}$ -inch thickness when filled with Fiberglas insulation having a density of 8 pounds per cu. ft.; this panel shall not be used in Class A-60 construction without the approval of the Commandant for the specific location, manufactured by James McCutcheon & Co., 5th Avenue and 49th Street, New York, N. Y.

Approval No. 164.008/5/0 James McCutcheon & Co. hollow steel bulkhead, hollow steel, insulation filled bulkhead panel identical to that described in National Bureau of Standards letter, file III-6/ITFU, dated 16 July 1943, approved as meeting Class B-15 requirements in a minimum thickness of 1 $\frac{1}{2}$  inches when filled with a structural insulation in a density as approved by the Coast Guard and a thickness of one-half that listed to meet Class A-60 requirements, manufactured by James McCutcheon & Co., 5th Avenue and 49th Street, New York, N. Y.

Approval No. 164.008/6/0, Dietz marine, hollow steel, insulation filled identical to that described in National Bureau of Standards Test Report No. TG 3619-33, FR-1364 dated 31 March 1939, approved as meeting Class B-15 requirements in a 1-inch thickness when filled with 8 Ply Air Cell Fill 1 $\frac{1}{4}$  inches thick, manufactured by L. F. Dietz & Associates, Inc., Marine Building, 40 Grand Avenue, Englewood, N. J.

Approval No. 164.008/7/0, Seaporcel, hollow steel, insulation filled bulkhead panel identical to that described in Porcelain Metals, Inc., Dwg. entitled "Typical Size Sections Showing General Application of Seaporcel Flush Bulkhead and Ceiling", dated 29 December 1941, approved as meeting Class B-15 requirements in a minimum thickness of 1 $\frac{1}{2}$  inches when filled with a structural insulation in a density as approved by the Coast Guard and a thickness of one-half that listed to meet Class A-60 requirements, manufactured by Seaporcel Porcelain Metals, Inc., 28-20 Borden Avenue, Long Island City, N. Y.

Approval No. 164.008/8/0, Seaporcel flush type, hollow steel, insulation board lined bulkhead panel identical to that

described in National Bureau of Standards letter, file III-6/36, dated 3 August 1944, approved as meeting Class B-15 requirements in a  $1\frac{1}{16}$ -inch thickness when lined each side with  $\frac{1}{4}$ -inch asbestos millboard, manufactured by Seaporc Porcelain Metals, Inc., 28-20 Borden Avenue, Long Island City, N. Y.

Approval No. 164.008/9/0, Mobilwall, hollow steel, insulation filled bulkhead panel identical to that described in Snead & Co. Dwgs. X-101, X-102, X-103, and X-104, approved as meeting Class B-15 requirements in a minimum thickness of  $1\frac{1}{2}$  inches when filled with a structural insulation in a density as approved by the Coast Guard and a thickness of one half that listed to meet Class A-60 requirements, manufactured by Virginia Metal Products Corp., 30 Church Street, New York 7, N. Y.

Approval No. 164.008/10/0, U. S. G. marine board, steel veneered, gypsum board steel veneered type bulkhead panel identical to that described in Underwriters' Laboratories, Inc. Test Report—Retardant 2782, Application No. 43C798 dated 18 October 1943, approved as meeting Class B-15 requirements in a  $\frac{3}{4}$ -inch thickness, manufactured by United States Gypsum Co., 300 West Adams Street, Chicago 6, Ill.

Approval No. 164.008/11/0, U. S. G. marine board, aluminum veneered, gypsum board, aluminum veneered type bulkhead panel identical to that described in Underwriters' Laboratories, Inc. Test Report—Retardant 2782, Application No. 45C951 dated 22 October 1945, approved as meeting Class B-15 requirements in a  $\frac{1}{8}$ -inch thickness; this panel shall not be used in Class A-60 construction without the approval of the Commandant for the specific location, manufactured by United States Gypsum Co., 300 West Adams Street, Chicago 6, Ill.

Approval No. 164.008/12/0, J-M marinite, asbestos incombustible binder board type bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG 3619-23, FR-1274 dated 21 March 1939, approved as meeting Class B-15 requirements in a  $\frac{3}{4}$ -inch thickness, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.008/13/0, J-M light weight marinite, asbestos incombustible binder board type bulkhead panel identical to that described in Protexol Testing Laboratory Test Report No. 146 dated 15 November 1946, approved as meeting Class B-15 requirements in a  $\frac{3}{4}$ -inch thickness, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.008/14/0, J-M Marine sheathing, asbestos incombustible binder board type bulkhead panel identical to that described in Johns-Manville letter of 6 March 1947, approved as meeting Class B-15 requirements in a  $\frac{3}{4}$ -inch thickness, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.008/15/0, J-M Marine veneer, asbestos cement board type bulkhead panel identical to that described in Johns-Manville letter of 6 March 1947, approved as meeting Class

B-15 requirements in a  $\frac{3}{4}$ -inch thickness, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y.

Approval No. 164.008/16/0, Firefoil panel, corrugated asbestos with asbestos cement board veneer type bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG-3619-21, FR-1253 dated 20 December 1938, approved as meeting Class B-15 requirements with a  $\frac{1}{8}$ -inch, 6-ply corrugated asbestos core with a  $\frac{3}{32}$ -inch asbestos cement veneer each side, manufactured by The Philip Carey Manufacturing Co., 60 East 42d Street, New York 17, N. Y.

Approval No. 164.008/17/0, C Board, asbestos cement board type bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG-3618-46, FR-1791 dated 13 August 1940, approved as meeting Class B-15 requirements in a  $\frac{3}{4}$ -inch thickness, manufactured by Keasbey & Mattison Co., Ambler, Pa.

Approval No. 164.008/18/0, C-3 Marine board, asbestos cement board type bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG-3619-59, FR-2042 dated 15 February 1943, approved as meeting Class B-15 requirements in a  $\frac{3}{4}$ -inch thickness, manufactured by Keasbey & Mattison Co., Ambler, Pa.

Approval No. 164.008/19/0, Martin-Parry marine, hollow steel type bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG-3619-34, FR-1365 dated 31 March 1939, approved as meeting Class B-15 requirements in a  $2\frac{1}{8}$ -inch thickness with two  $\frac{1}{8}$ -inch asbestos paper inserts, manufactured by Martin Parry Corp., York, Pa.

Approval No. 164.008/20/0, Saino Marine, hollow steel, vermiculite insulated corrugated steel core type bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG-3619-35, FR-1366 dated 31 March 1939, approved as meeting Class B-15 requirements in a  $\frac{1}{8}$ -inch thickness, manufactured by The F. L. Saino Manufacturing Co., Inc., Memphis, Tenn.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 369, 391a, 404, 463a, 1333, 50 U. S. C. 1275; 46 CFR Part 144.

#### INCOMBUSTIBLE MATERIALS

Approval No. 164.009/1/0, Firefoil sheathing, corrugated asbestos board type incombustible material, approved in a  $\frac{1}{2}$ -inch thickness with a steel veneer on one side, manufactured by The Philip Carey Manufacturing Co., 60 East 42d Street, New York 17, N. Y.

Approval No. 164.009/2/0, Careystone asbestos-cement wallboard, asbestos-cement board type incombustible material identical to that described in National Bureau of Standards Letter, file III-6, dated 2 March 1943, approved in a  $\frac{1}{16}$ -inch thickness, manufactured by The Philip Carey Manufacturing Co., 60 East 42d Street, New York 17, N. Y.

Approval No. 164.009/3/0, Careystone sheathing, asbestos cement board type incombustible material identical to that

described in National Bureau of Standards letter, file III-6, dated 24 September 1942, approved in a  $\frac{1}{16}$ -inch thickness, manufactured by The Philip Carey Manufacturing Co., 60 East 42d Street, New York 17, N. Y.

Approval No. 164.009/4/0, APAC asbestos cement board type incombustible material identical to that described in Keasbey & Mattison Company letter of 30 December 1942, manufactured by Keasbey & Mattison Co., Ambler, Pa.

Approval No. 164.009/5/0, C-4 Marine board, asbestos cement board type incombustible material identical to that described in National Bureau of Standards letter, file III-6, dated 25 March 1944, manufactured by Keasbey & Mattison Co., Ambler, Pa.

Approval No. 164.009/6/0, C-5 Marine board, asbestos cement board type incombustible material identical to that described in National Bureau of Standards letter, file III-6, dated 25 March 1944, manufactured by Keasbey & Mattison Co., Ambler, Pa.

Approval No. 164.009/7/0, gold bond A-C board, asbestos cement board type incombustible material identical to that described in National Gypsum Co. letter dated 4 June 1943, manufactured by National Gypsum Co., Buffalo 2, N. Y.

Approval No. 164.009/8/0, gold bond Natoe, gypsum core, asbestos cement veneered board type incombustible material identical to that described in National Gypsum Company letter dated 23 May 1945, approved with  $\frac{1}{8}$ -inch gypsum core with a  $\frac{1}{8}$ -inch asbestos cement veneer each side, manufactured by National Gypsum Co., Buffalo 2, N. Y.

Approval No. 164.009/9/0, U. S. G. marine board, gypsum board, metal veneered type incombustible material identical to that described in National Bureau of Standards Test Report No. TG-3610-1348; FR-2131 dated 23 August 1943, approved in  $\frac{3}{8}$ -inch minimum thickness with steel or aluminum veneer one side, manufactured by United States Gypsum Co., 300 West Adams Street, Chicago 6, Ill.

ADDITIONAL AUTHORITY: R. S. 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 369, 391a, 404, 463a, 1333, 50 U. S. C. 1275; 46 CFR Part 144.

Dated July 24, 1947.

J. F. FARLEY,  
Admiral, U. S. C. G., Commandant.

[F. R. Doc. 47-7118; Filed, July 30, 1947;  
8:46 a. m.]

#### DEPARTMENT OF THE INTERIOR

##### Bureau of Land Management

[1226689]

CALIFORNIA

NOTICE OF FILING OF PLAT OF INDEPENDENT RESURVEY WITH TRACT SEGREGATIONS OF PATENTED LANDS ACCEPTED NOVEMBER 13, 1942

JULY 22, 1947.

Notice is given that the plat of independent resurvey with segregation of patented lands in T. 18 N., R. 3 E., Humboldt Meridian, Group 173, California,

## NOTICES

accepted November 13, 1942, will be officially filed in the District Land Office, Sacramento, California, effective 10:00 a. m. on September 23, 1947. The total area exclusive of segregations is 21,485.28 acres.

The lands are mountainous in character, supporting a fair timber growth and a dense chaparral ground cover.

All of the lands involved are within the limits of the Siskiyou National Forest, the public lands therein having been withdrawn for forest purposes pursuant to Proclamations of May 6, 1905, July 1, 1908 and February 13, 1909.

Anyone having a valid settlement or other right to any of these lands, initiated prior to the withdrawal of May 6, 1905, should assert the same within three months from the date on which the plat is officially filed by filing an application under appropriate public land law setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Sacramento, California.

FRED W. JOHNSON,  
Director.

[F. R. Doc. 47-7157; Filed, July 30, 1947;  
8:58 a. m.]

[1762771]

## WYOMING

NOTICE OF FILING OF PLATS OF SURVEY  
ACCEPTED MAY 15 AND 16, 1945

JULY 23, 1947.

Notice is given that the plats of survey of the following described lands will be officially filed in the District Land Office, Evanston, Wyoming, effective at 10:00 a. m. on September 24, 1947.

## SIXTH PRINCIPAL MERIDIAN

T. 32 N., R. 115 W.,  
Secs. 7 to 36 inclusive.  
T. 34 N., R. 117 W., all.

The areas described aggregate 40,723.44 acres.

The lands involved are very rough and mountainous, lying at an elevation averaging 10,000 feet above sea level. The soil is rocky and sandy clay.

The above-mentioned lands are within the limits of the Bridger National Forest, the public lands therein having been first withdrawn for forest purposes by proclamation of January 29, 1903.

The lands may be subject to the provisions of Public Land Order No. 35 of August 27, 1942, withdrawing all deposits of vanadium and all public lands containing such deposits in certain counties in Wyoming, including Lincoln and Sublette Counties. All of secs. 27 to 34 inclusive, T. 34 N., R. 117 W., are subject to the provisions of Public Land Order No. 24 of August 11, 1942.

Anyone having a valid settlement or other right to any of these lands, initiated prior to the withdrawal of January 29, 1903, should assert the same within three months from the date on which the plat is officially filed by filing an application under appropriate public land law setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Evanston, Wyoming.

FRED W. JOHNSON,  
Director.

[F. R. Doc. 47-7161; Filed, July 30, 1947;  
8:54 a. m.]

[1772397]

## IDAHO

NOTICE OF FILING OF PLATS OF SURVEY  
ACCEPTED JANUARY 13, 1943 AND FEBRUARY 26, 1944

JULY 23, 1947.

Notice is given that the plats of survey of the following described lands will be officially filed in the District Land Office, Blackfoot, Idaho, effective at 10:00 a. m. on September 24, 1947.

## BOISE MERIDIAN

T. 15 N., R. 9 E., all.  
T. 16 N., R. 9 E., all.  
T. 17 N., R. 9 E., all.  
T. 16 N., R. 10 E., all.

The areas described aggregate 91,732.55 acres.

The above-mentioned lands are within the limits of the Boise National Forest, the public lands therein having been first withdrawn for forest purposes by proclamation of December 23, 1919.

The S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$  sec. 13, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$  sec. 14, T. 16 N., R. 10 E., B. M. are included in Power Site Classification No. 280 of December 19, 1933, as conformed November 27, 1944.

The lands involved are rough and mountainous with sandy and rocky sandy loam soils. The vegetation consists of brush and native grasses with scattered stands of fir and pine timber.

Anyone having a valid settlement or other right to any of these lands initiated prior to the withdrawal of December 23, 1919, should assert the same within three months from the date on which the plat is officially filed by filing an application under appropriate public land law setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Blackfoot, Idaho.

FRED W. JOHNSON,  
Director.

[F. R. Doc. 47-7158; Filed, July 30, 1947;  
8:53 a. m.]

[1774802]

## UTAH

NOTICE OF FILING OF PLAT OF SURVEY ACCEPTED DECEMBER 23, 1943

JULY 23, 1947.

Notice is given that the plats of survey of the following described lands will be officially filed in the District Land Office at Salt Lake City, Utah, effective at 10:00 a. m. on September 24, 1947.

## SALT LAKE MERIDIAN

T. 20 S., R. 4 E., all.  
T. 21 S., R. 4 E.,  
Secs. 3 to 10, inclusive.

The areas described aggregate 26,471.69 acres.

The topography is rough and mountainous; the soil ranges from friable clay loam to clay with promiscuous outcropping of rock.

The above-mentioned lands are within the limits of the Manti and Fishlake National Forests, the public lands therein having been withdrawn for forest purposes by Proclamations of May 29, 1903, January 18, 1906, June 27, 1913 and October 23, 1917.

Anyone having a valid settlement or other right to any of these lands initiated prior to the withdrawal of May 29, 1903 should assert the same within three months from the date on which the plat is officially filed by filing an application under appropriate public land law setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Salt Lake City, Utah.

FRED W. JOHNSON,  
Director.

[F. R. Doc. 47-7159; Filed, July 30, 1947;  
8:54 a. m.]

[1858243]

## OREGON

NOTICE OF FILING OF PLATS OF SURVEYS

JULY 23, 1947.

Notice is given that the plats of resurvey and protraction of areas hereinafter described will be officially filed in the District Land Office, Lakeview, Oregon, effective at 10:00 a. m. on September 24, 1947, at that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from September 24, 1947, to December 23, 1947, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from September 4, 1947, to September 24, 1947, inclusive, such veterans and persons claiming pref-

erence rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on September 24, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on December 23, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous nonpreference-right filings.* Applications by the general public may be presented during the 20-day period from December 3, 1947, to December 23, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on December 23, 1947 shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Lakeview, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Lakeview, Oregon.

The lands affected by this notice are described as follows:

#### WILLAMETTE MERIDIAN

T. 33 S., R. 21 E.  
Sec. 9, lots 7 to 16 inclusive;  
Sec. 10, lots 5 to 18 inclusive;  
Sec. 11, lots 5 to 15 inclusive;  
Sec. 12, lots 5 and 6;  
Sec. 13, lots 1 to 4 inclusive;  
Sec. 14, lots 1 to 16 inclusive;  
Sec. 15, lots 1 to 17 inclusive;  
Sec. 16, lots 2 to 13 inclusive;  
Sec. 17, lots 5, 6 and 7;  
Sec. 20, lots 5 to 18 inclusive;  
Sec. 21, lots 1 to 13 inclusive;  
Sec. 22, lots 1 to 10 inclusive; E $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 23, lots 1, 2, 3, NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 24, lots 1 to 14 inclusive;  
Sec. 25, all;  
Sec. 26, lots 1 to 16 inclusive;  
Sec. 27, lots 1 to 14 inclusive;  
Sec. 28, lots 1 to 11 inclusive;  
Sec. 29, lots 1 to 9 inclusive;  
Sec. 30, lots 5 and 6;  
Sec. 31, lots 5 to 8 inclusive;

Sec. 32, all;  
Sec. 33, lots 1 to 16 inclusive;  
Sec. 34, lots 1 to 16 inclusive;  
Sec. 35, all;  
Sec. 36, all.

T. 34 S., R. 21 E.  
Sec. 1, lots 4 to 19 inclusive;  
Secs. 2, 3, 4 and 5, all;  
Sec. 6, lots 7, 8, 9, 10;  
Sec. 7, lots 5, 6, 7, 8;  
Secs. 8, 9, 10 and 11, all;  
Sec. 12, lots 5 to 17 inclusive;  
Sec. 13, lots 5 to 18 inclusive;  
Secs. 14, 15, 16, all;  
Sec. 17, lots 2 to 17 inclusive;  
Sec. 18, lots 5, 6, 7;  
Sec. 20, lots 5 to 20 inclusive;  
Secs. 21, 22, 23, all;  
Sec. 24, lots 5 to 16 inclusive;  
Sec. 25, lots 5 to 18 inclusive;  
Secs. 26, 27, 28, all;  
Sec. 29, lots 5 to 15 inclusive;  
Sec. 32, lots 5 to 9 inclusive;  
Sec. 33, all;  
Sec. 34, lots 1 to 15 inclusive;  
Sec. 35, lots 1 to 14 inclusive;  
Sec. 36, lots 7 to 19, inclusive;

T. 35 S., R. 21 E.  
Sec. 2, lots 3 to 12 inclusive;  
Sec. 3, lots 1 to 16 inclusive;  
Sec. 4, lots 3 to 19 inclusive;  
Sec. 9, lots 5 to 17 inclusive;  
Sec. 10, lots 2 to 17 inclusive;  
Sec. 11, lots 5 to 10 inclusive;  
Sec. 15, lots 5 to 13 inclusive;  
Sec. 16, lots 6 to 18 inches;  
Sec. 21, lots 5 and 6;  
Sec. 22, lots 3 and 4.

T. 33 S., R. 22 E.  
Sec. 7, lots 7 to 12 inclusive;  
Sec. 8, lot 3;  
Sec. 17, lots 5 to 12 inclusive;  
Sec. 18, lots 1 to 14 inclusive;  
Sec. 19, lots 2 to 12 inclusive;  
Sec. 30, lots 5 to 18 inclusive;  
Sec. 31, lots 5 to 10 inclusive.

T. 34 S., R. 22 E.

Sec. 6, lot 8.

The areas described aggregate 34,141.67 acres of protracted lands in Lake Abert, Oregon.

Lake Abert is a shallow alkaline lake, with the contiguous land consisting of marshy areas and alkaline flats. The sections in Tps. 33 and 35 S., R. 21 E. have a rolling to mountainous surface for the most part with juniper trees and sagebrush types of vegetation.

FRED W. JOHNSON,  
Director.

[F. R. Doc. 47-7160; Filed, July 30, 1947;  
8:54 a. m.]

[1910885]

#### WYOMING

##### NOTICE OF FILING OF PLATS OF SURVEYS AND RESURVEYS ACCEPTED OCTOBER 15, 1946

JULY 22, 1947.

Notice is given that the plats of survey and resurvey of lands hereinafter described will be officially filed in the District Land Office, Buffalo, Wyoming, effective at 10:00 a. m. on September 23, 1947. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from September 23, 1947, to December 22,

1947, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from September 3, 1947, to September 23, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on September 23, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on December 22, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from December 2, 1947, to December 22, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on December 22, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Buffalo, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Buffalo, Wyoming.

## NOTICES

The lands affected by this notice are described as follows:

## SIXTH PRINCIPAL MERIDIAN

T. 54 N., R. 91 W.,  
Secs. 1 to 3, inclusive;  
Secs. 10 to 15, inclusive;  
Secs. 22 to 26, inclusive;  
Sec. 27, lots 1, 2, 3, 4.  
T. 55 N., R. 91 W.,  
Secs. 2 to 27, inclusive;  
Secs. 34 to 36, inclusive.

The areas described aggregate 27,121.04 acres.

All of the lands involved, excepting those in sec. 27, T. 54 N., R. 91 W., 6th P. M., Wyoming, are within the limits of the Big Horn National Forest pursuant to the Proclamation of December 23, 1904.

The lands involved are rough and mountainous, with rocky soil cut by deep, narrow canyons.

FRED W. JOHNSON,  
Director.

[F. R. Doc. 47-7156; Filed, July 30, 1947;  
8:53 a. m.]

[Misc. 2114216]

## UTAH

## ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 23, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g), the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on September 24, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from September 24, 1947, to December 24, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from September 4, 1947, to September 24, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on Sep-

tember 24, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on December 24, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from December 4, 1947, to December 24, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on December 24, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Salt Lake City, Utah.

The lands affected by this order are described as follows:

## SALT LAKE MERIDIAN

T. 11 S., R. 2 W.,  
Sec. 23, lots 5, 6, 7, 9, and lots 10 to 16,  
inclusive;  
Sec. 26, lots 1 to 4, inclusive, containing  
629.38 acres.

The above-described lands are located in the foothill region of the Tintio Mountains within the limits of Utah Grazing District No. 2. The lands are valuable chiefly for grazing and have no commercial timber.

FRED W. JOHNSON,  
Director.

[F. R. Doc. 47-7155; Filed, July 30, 1947;  
8:53 a. m.]

[Misc. 2114536]

## UTAH

## ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 23, 1947.

In an exchange of lands made under the provisions of section 8 of the act of

June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g), the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on September 24, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from September 24, 1947, to December 24, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from September 4, 1947, to September 24, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on September 24, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on December 24, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from December 4, 1947, to December 24, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on December 24, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that

such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Salt Lake City, Utah.

The lands affected by this order are described as follows:

## SALT LAKE MERIDIAN

T. 12 N., R. 15 W.,  
Sec. 20, S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described aggregates 320 acres.

The lands, which are in the Utah Grazing District No. 1, are desert in character. The soil is sand and gravel, supporting vegetation of sage brush, Russian Thistle and weeds, with a scant growth of grass.

FRED W. JOHNSON,  
Director.

[F. R. Doc. 47-7154; Filed, July 30, 1947;  
8:53 a. m.]

[2119730]

IDAHO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 23, 1947.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g), the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on September 24, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from September 24, 1947, to December 24, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from September

4, 1947, to September 24, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on September 24, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on December 24, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous nonpreference right filings.* Applications by the general public may be presented during the 20-day period from December 4, 1947, to December 24, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on December 24, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Blackfoot, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Blackfoot, Idaho.

The lands affected by this order are described as follows:

## BOISE MERIDIAN

T. 11 S., R. 19 E.,  
Sec. 10, E $\frac{1}{2}$ SE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 11, W $\frac{1}{2}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ , containing 240 acres.

The above-described lands are rough and uneven sloping generally to the south. The soil is of a loose sandy nature, supporting native vegetation such as sage brush intermingled with native grasses. The lands are in Idaho Grazing District No. 2.

FRED W. JOHNSON,  
Director.

[F. R. Doc. 47-7153; Filed, July 30, 1947;  
8:52 a. m.]

## DEPARTMENT OF LABOR

## Wage and Hour Division

[Administrative Order 373]

## SPECIAL INDUSTRY COMMITTEE 5 FOR PUERTO RICO

## ACCEPTANCE OF RESIGNATION; APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, Wm. R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Luis C. Bonet from Special Industry Committee No. 5 for Puerto Rico and do appoint in his stead as representative for the employers on such committee, Mr. Arthur F. Oetting of Santurce, Puerto Rico.

Signed at Washington this 21st day of July 1947.

WM. R. McCOMB,  
Administrator,  
Wage and Hour Division.

[F. R. Doc. 47-7150; Filed, July 30, 1947;  
8:52 a. m.]

[Administrative Order 374]

## SPECIAL INDUSTRY COMMITTEE 5 FOR PUERTO RICO

## ACCEPTANCE OF RESIGNATION; APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, Wm. R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor,

Hereby accept the resignation of Mr. Arthur F. Oetting from Special Industry Committee No. 5 for Puerto Rico and do appoint in his stead as representative for the employers on such committee, Mr. Fernando A. Villamil of San Juan, Puerto Rico.

Signed at Washington this 22d day of July 1947.

WM. R. McCOMB,  
Administrator,  
Wage and Hour Division.

[F. R. Doc. 47-7149; Filed, July 30, 1947;  
8:52 a. m.]

[Administrative Order 375]

## SPECIAL INDUSTRIAL COMMITTEE 5 FOR PUERTO RICO

## ACCEPTANCE OF RESIGNATION; APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, Wm. R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Fernando A. Villamil from Special Industry Committee No. 5 for Puerto Rico and do appoint in his stead as representative for the employers on such

committee, Mr. M. B. Marsh of Rio Grande, Puerto Rico.

Signed at Washington this 22d day of July 1947.

WM. R. McCOMBE,  
Administrator,  
Wage and Hour Division.

[F. R. Doc. 47-7151; Filed, July 30, 1947;  
8:52 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-606]

TENNESSEE GAS AND TRANSMISSION CO.  
(TENNESSEE GAS TRANSMISSION CO.)

### NOTICE OF OPINION NO. 153

JULY 25, 1947.

Notice is hereby given that, on July 24, 1947, the Federal Power Commission issued its Opinion No. 153 and order entered July 22, 1947 (Memorandum Opinion and Order Making Effective Reductions in Rates), allowing Tennessee Gas and Transmission Company FPC Gas Schedules to take effect as of April 1, 1947, and terminating proceeding in the above entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-7148; Filed, July 30, 1947;  
8:52 a. m.]

[Docket No. G-803]

HOPE NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY

JULY 25, 1947.

Notice is hereby given that, on July 23, 1947, the Federal Power Commission issued its findings and order entered July 22, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-7145; Filed, July 30, 1947;  
8:51 a. m.]

[Docket No. G-891]

UNITED NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY

JULY 25, 1947.

Notice is hereby given that, on July 23, 1947, the Federal Power Commission issued its findings and order entered July 22, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-7147; Filed, July 30, 1947;  
8:51 a. m.]

## NOTICES

[Docket No. G-897]

WEST TEXAS GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY

JULY 25, 1947.

Notice is hereby given that, on July 23, 1947, the Federal Power Commission issued its findings and order entered July 22, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-7143; Filed, July 30, 1947;  
8:51 a. m.]

[Docket No. G-900]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY

JULY 25, 1947.

Notice is hereby given that, on July 23, 1947, the Federal Power Commission issued its findings and order entered July 22, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-7144; Filed, July 30, 1947;  
8:51 a. m.]

[Docket No. G-917]

WISCONSIN SOUTHERN GAS CO.

NOTICE OF APPLICATION

JULY 25, 1947.

Notice is hereby given that on July 11, 1947, an application was filed with the Federal Power Commission by Wisconsin Southern Gas Company (Applicant), a Wisconsin corporation with its principal place of business in Burlington, Wisconsin, for:

(1) A certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing it to acquire, construct and operate pipeline facilities in Kenosha and Walworth Counties, Wisconsin, as hereinafter more particularly described, or in the alternative, a finding by the Commission that Applicant is not and will not be a "natural-gas company" under the Natural Gas Act after the acquisition or construction of such facilities; and

(2) An order by the Commission under section 7 (a) of the Natural Gas Act requiring Natural Gas Pipeline Company of America to extend its facilities, to establish connection with the facilities which Applicant proposes to acquire and construct, and to sell natural gas to Applicant for distribution in southeastern Wisconsin, as hereinafter more particularly described.

Applicant seeks authorization to acquire from Wisconsin Gas & Electric

Company and to operate a pipeline system extending from the west line of the Town of Pleasant Prairie in Kenosha County, Wisconsin, to the Village of Genoa City in Walworth County, Wisconsin.

Applicant alleges that transmission facilities of Natural Gas Pipeline Company of America are located within a very short distance of the Illinois-Wisconsin state line, the nearest point being approximately  $\frac{1}{2}$  mile east of Genoa City, Wisconsin and approximately  $2\frac{1}{2}$  miles east of the point at which Applicant now purchases natural gas from Natural Gas Pipeline Company of America. Applicant seeks authorization to construct and operate a 6-inch ID pipeline extending north 1.65 miles from a proposed point of connection with such transmission pipeline of Natural Gas Pipeline Company of America on the Wisconsin-Illinois state line, about  $\frac{1}{2}$  mile east of Genoa City, to a point of connection with the Wisconsin Gas & Electric Company line sought to be acquired by Applicant, then extending north 10.85 miles to the City of Burlington, Wisconsin, to connect with Applicant's existing facilities, together with metering and pressure regulating equipment at the point of connection with the Wisconsin Gas & Electric Company line.

Initially Applicant proposes to supply 520 B. t. u. manufactured gas to the customers presently served by the pipeline of Wisconsin Gas & Electric Company sought to be acquired, which gas will be purchased by Applicant from Wisconsin Gas & Electric Company under the terms of a contract entered into between the two companies. Such gas is to be resold by Applicant at the same rates as those now charged by Wisconsin Gas & Electric Company. Applicant states that as soon as a connection is made with the facilities of Natural Gas Pipeline Company of America such service will be converted to natural gas. After conversion to natural gas service, Applicant proposes to charge the same rates for such service as those which it now charges in the territory presently supplied by it with natural gas. Applicant proposes to render natural gas service by means of the facilities hereinbefore described to Townships and Villages in the Counties of Kenosha, Walworth and Racine, Wisconsin.

Applicant states that it has entered into a contract with Wisconsin Gas & Electric Company to purchase the facilities sought to be acquired herein; that it has filed an application with the Public Service Commission of Wisconsin for authority to purchase such facilities; and that a hearing has been held on such application but no order has been entered therein.

The contract purchase price of the pipe line to be acquired by Applicant is \$180,000 plus the cost of any additions by Wisconsin Gas & Electric Company subsequent to December 1, 1946. Applicant estimates the total cost of the facilities to be constructed by it to be \$162,000. Applicant states it has arranged for a bank loan to finance temporarily such costs and proposes to refinance such costs on a permanent basis through the

issuance of first mortgage bonds and additional capital stock, and possibly other securities.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Wisconsin Southern Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the *FEDERAL REGISTER*, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (18 CFR 1.8 or 1.10).

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-7141; Filed, July 30, 1947;  
8:51 a. m.]

[Docket No. IT-6066]

NORTHWESTERN PUBLIC SERVICE CO.  
NOTICE OF ORDER AUTHORIZING ISSUANCE OF  
BONDS

JULY 25, 1947.

Notice is hereby given that, on July 23, 1947, the Federal Power Commission issued its order entered July 22, 1947, authorizing issuance of bonds in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-7146; Filed, July 30, 1947;  
8:51 a. m.]

[Docket No IT-6069]

SIERRA PACIFIC POWER CO.  
NOTICE OF APPLICATION

JULY 24, 1947.

Notice is hereby given that on July 23, 1947, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Sierra Pacific Power Company (hereinafter called "Applicant"), a corporation organized under the laws of the State of Maine and doing business in the States of California and Nevada with its principal business office at Reno, Nevada, seeking an order authorizing the issuance of \$975,000 principal amount of First Mortgage Bonds, bearing interest at the rate of 2 1/2% per annum, to be dated as of August 1, 1947, and to be due August 1, 1977, to be issued under Applicant's Indenture of Mortgage to The New England Trust Company and Fletcher C.

Chamberlin, as Trustees, dated as of December 1, 1940, as supplemented and modified by a First Supplemental Indenture to be dated as of August 1, 1947. Applicant proposes to sell the aforesaid First Mortgage Bonds to the John Hancock Mutual Life Insurance Company and the proceeds from the sale of these Bonds will be used to repay Applicant's promissory notes held by banks and to reimburse Applicant in part for construction expenditures; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 13th day of August, 1947, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-7142; Filed, July 30, 1947;  
8:51 a. m.]

## INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 254]

RECONSIGNMENT OF TOMATOES AT CHICAGO,  
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment by La Mantia Bros., Chicago, of ART 20014 tomatoes now on hand Chicago Produce Terminal, Chicago, Ill., to John C. Moretz Co., Philadelphia, Pa., via PRR.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of July 1947.

HOMER C. KING,  
Director.

[F. R. Doc. 47-7180; Filed, July 30, 1947;  
8:57 a. m.]

[S. O. 396, Special Permit 255]

RECONSIGNMENT OF POTATOES AT  
OMAHA, NEBR.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsigning by National Produce Co., Chicago, Ill., of PFE 95196, potatoes now on hand on the Union Pacific Railroad Co., Omaha, Nebr., to Shreveport, La., partial unloading at Marshall, Texas, via UP-KCS-TP.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of July 1947.

HOMER C. KING,  
Director.

[F. R. Doc. 47-7170; Filed, July 30, 1947;  
8:55 a. m.]

[S. O. 396, Special Permit 256]

RECONSIGNMENT OF CARROTS AT  
CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment by La Mantia Bros., Chicago, Illinois, of URTX 7121, carrots, now on hand Chicago Produce Terminal, Chicago, Illinois, to Shippers Service Co., Detroit, Michigan, via Wabash RR.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of July 1947.

HOMER C. KING,  
Director.

[F. R. Doc. 47-7171; Filed, July 30, 1947;  
8:56 a. m.]

[Ex Parte No. 166]

INCREASED FREIGHT RATES, 1947

Correction

In F. R. Doc. No. 47-7084, appearing on page 5015 of the issue for Tuesday, July 29, 1947, the headnote should read as set forth above.

## SECURITIES AND EXCHANGE COMMISSION

[File No. 54-67, 59-64]

### PEOPLES LIGHT AND POWER CO. ET AL. ORDER RELEASING JURISDICTION OVER FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 24th day of July 1947.

In the matter of Peoples Light and Power Company and subsidiary companies, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Farm Company, Texas Public Service Company, West Coast Power Company, File No. 59-64.

The Commission, by order entered in these proceedings on September 14, 1945 (Holding Company Act Release No. 6054), having approved a plan of reorganization of Peoples Light and Power Company ("Peoples"), now, by change of name, Texas Public Service Company, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 and said order having, among other things, reserved jurisdiction to approve, disapprove, modify, allocate or award by further order or orders all fees or other compensation and reimbursement of expenses claimed by any person in connection with the plan approved by the Commission on September 14, 1945 and in connection with the transactions incident thereto and the consummation thereof;

The Commission, on September 16, 1946, having issued an order pursuant to section 5 (d) of the act declaring that Peoples has ceased to be a holding company and that the registration of Peoples as a holding company shall from the date of the entry of said order cease to be effective, subject to the condition, among others, that the Commission's order dated September 14, 1945 with respect to certain matters, including the reservation of jurisdiction over fees and expenses, shall continue in full force and effect until complied with or until and unless this Commission shall by subsequent order or orders amend, modify or revoke such order;

Peoples having filed an application requesting the Commission to approve the fees and expenses incurred by Peoples in connection with the plan and to release the jurisdiction heretofore reserved by the Commission with respect to such matters, said application describing the services of counsel and setting forth the amounts of the fees and expenses as follows:

Richard, Layton & Finger—counsel	\$7,771.41
Baker, Botts, Andrews & Wharton—counsel	1,824.31
Dwight, Harris, Koegel & Caskey—counsel	150.00
Printing, engraving and stationery	3,638.65
Distributing agent	3,603.30
Transfer agent, registrar, etc.	2,926.80
State filing fees, taxes, etc.	325.58
Telephone, telegraph, travel and misc	648.78
	20,898.83

## NOTICES

It appearing to the Commission that such fees and expenses are not unreasonable and that jurisdiction over such matters should be released;

It is ordered, That the jurisdiction heretofore reserved in the orders of September 14, 1945 and September 16, 1946 with respect to fees and expenses in connection with the plan approved by the Commission on September 14, 1945, the transactions incident thereto and the consummation thereof be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 47-7163; Filed, July 30, 1947;  
8:54 a. m.]

[File No. 70-1527]

### CONSOLIDATED NATURAL GAS CO.

#### NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 24th day of July 1947.

Notice is hereby given that a supplemental declaration and application has been filed with the Commission, pursuant to the Public Utility Holding Company Act of 1935, by Consolidated Natural Gas Company ("Consolidated"), a registered holding company, designating sections 6 and 7 of the act and Rule U-50 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than July 31, 1947, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interests and the issues, if any, of fact or law raised by said supplemental declaration and application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after July 31, 1947, said supplemental declaration and application, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said supplemental declaration and application, which is on file in the office of the Commission, for a statement of the transaction therein proposed, which is summarized below:

Pursuant to the authority of this Commission's order dated June 12, 1947 (Holding Company Act Release No. 7485), Consolidated offered not exceeding 545,672 shares of its capital stock to its stockholders at a price of \$37.50 per share, of which shares 520,547 were subscribed for, or approximately 95.4% of the total number offered. Consolidated now proposes to issue and sell the remaining 25,125 shares on the New York

Stock Exchange through brokers to be selected by the company who are regular members of such exchange, the company receiving the price at which the shares are sold by the brokers less the regular brokers' commissions on the sales. It is stated that if the remaining shares to be offered could be sold by the company on the stock exchange at the closing price of \$48 per share on July 21, 1947, the aggregate price would be approximately \$1,206,000 and the brokerage commissions would be approximately 24½¢ per share, or an aggregate of \$6,000, the net proceeds to the company totalling \$1,200,000. In this connection, Consolidated has requested the Commission to exempt the proposed issue and sale from the competitive bidding requirements of Rule U-50.

Consolidated requests that the Commission's order to be issued herein become effective as soon as possible.

By the Commission.

[SEAL] ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 47-7164; Filed, July 30, 1947;  
8:54 a. m.]

[File No. 70-1572]

### GENERAL PUBLIC UTILITIES CORP.

#### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of July 1947.

Notice is hereby given that a declaration, and an amendment thereto, has been filed with this Commission, pursuant to section 12 of the Public Utility Holding Company Act of 1935 and Rules U-44 and U-50 promulgated thereunder, by General Public Utilities Corporation ("GPU"), a registered holding company.

Notice is further given that any interested person may, not later than July 30, 1947, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said amended declaration which he desires to controvert, or may request that he be notified if the Commission orders a hearing thereon. At any time after July 30, 1947, said declaration, as filed or as further amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said amended declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

GPU owns 311,361 common shares, each of a par value of \$8.00, of New England Gas and Electric Association ("Negas"), which shares were acquired

in connection with the consummation of a plan of recapitalization of Negas and must be disposed of pursuant to opinions and orders of this Commission (see Holding Company Act Release Nos. 7181 and 7306).

GPU proposes to sell its entire holdings of common shares of Negas at competitive bidding pursuant to the requirements of Rule U-50 promulgated under the act. In this connection, GPU will invite proposals to purchase its holdings of Negas stock by newspaper advertisement published on or before July 24, 1947, indicating therein its intention to offer its holdings for sale and requesting any persons interested in the purchase thereof to submit qualifying documents to GPU on or before July 31, 1947. On or after such specified date, GPU will notify by telegram all persons who have filed qualifying documents to submit sealed bids at a designated time and place. The time designated will be not less than 48 hours after the sending by GPU of such telegraphic notice.

Declarant requests that the Commission enter its order with respect to this matter on or before July 31, 1947.

By the Commission.

[SEAL] ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 47-7165; Filed, July 30, 1947;  
8:55 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9347]

CHARLES JAESCHKE

In re: Estate of Charles Jaeschke, deceased. File D-28-8847; E. T. sec. 10923.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Paul Jaeschke, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the sum of \$5,693.82 deposited on September 16, 1946 with the Treasurer of Cook County, Illinois, to the credit of Paul Jaeschke, pursuant to an order of the Probate Court of Cook County, Illinois, entered September 4, 1946, in the matter of the estate of Charles Jaeschke, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by the Treasurer of Cook County, Illinois, as depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States

requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7183; Filed, July 30, 1947;  
8:57 a. m.]

[Vesting Order 9397]

HENRY KAZUMI OMOTO

In re: Bank account owned by Henry Kazumi Omoto, also known as Henry K. Omoto. F-39-5868-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Henry Kazumi Omoto, also known as Henry K. Omoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Henry Kazumi Omoto, also known as Henry K. Omoto, by The Riggs National Bank of Washington, D. C., 1503 Pennsylvania Avenue, N. W., Washington 13, D. C., arising out of a Savings Account, account number N17804, entitled Henry K. Omoto, maintained at the branch office of the aforesaid bank located at 18th Street and Columbia Road, N. W., Washington, D. C., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 14, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7186; Filed, July 30, 1947;  
8:57 a. m.]

## NOTICES

[Vesting Order 9401]

HANS A. SCHLIEPER

In re: Stock and cash owned by the personal representatives, heirs, next of kin, legatees and distributees of Hans A. Schlieper, also known as Johannes A. Schlieper, deceased.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Hans A. Schlieper, also known as Johannes A. Schlieper, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. Three (3) shares of \$100 par value 6% cumulative convertible preferred capital stock of Sparks-Withington Company, 1669 Union Trust Building, Cleveland, Ohio, a corporation organized under the laws of the State of Ohio, evidenced by certificate number TPDO 587, dated January 23, 1935, registered in the name of Otto A. Berwald, formerly in the possession of Robert C. Mayer & Company, 50 Broadway, New York, New York, and presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon, and

b. That certain sum of money constituting a portion of the amount presently on deposit with the United States Treasury in an account entitled Robert V. Stormer, Disbursing Officer, Collection Account Symbol 896-027, which sum of money was remitted to the Office of Alien Property by Sparks-Withington Company, 1669 Union Trust Building, Cleveland, Ohio, as dividends payable on the stock described in subparagraph 2-a hereof and is presently in the custody of the Attorney General of the United States,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Hans A. Schlieper, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 14, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,

Assistant Attorney General,  
Director, Office of Alien Property.[F. R. Doc. 47-7188; Filed, July 30, 1947;  
8:58 a. m.]

[Vesting Order 9433]

KARL VON LEWINSKI

In re: Bank accounts and interest in contract owned by Karl Von Lewinski, F-28-23948-E-1, F-28-23948-E-2, F-28-23948-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Von Lewinski, whose last known address is Bl. W. 62 Leutzowplatz 25, Berlin, Germany, is a resident of Germany, and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Karl Von Lewinski, by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, arising out of a savings account, account number 393554, entitled Karl von Lewinski, maintained at the branch office of the aforesaid bank located at 110 South Spring Street, Los Angeles, California, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Karl Von Lewinski, by Commonwealth Bank, Fort and Griswold Streets, Detroit, Michigan, arising out of a commercial account, account number C11-207, entitled Dr. Karl Von Lewinski, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation owing to Karl Von Lewinski, by The Farmers and Merchants National Bank of Los Angeles, 401 South Main Street, Los Angeles 13, California, arising out of a term savings account, account number 3624, entitled Dr. Karl Von Lewinski, and any and all rights to demand, enforce and collect the same, and

d. All right, title, interest and claim of any name or nature whatsoever of Karl Von Lewinski in and to any and all obligations, contingent or otherwise, and whether or not matured, arising under that certain agreement (including all modifications thereof and supplements thereto, if any) by and between Karl Von Lewinski and Ratzer, Bridge and Gebhardt, and its successor Ratzer & Bridge, which agreement relates, among other things, to the payment of attorneys fees, including particularly, but not limited to, those certain fees arising out of the allowance of attorneys fees in the Estate of Sophie A. Haverty, deceased, and the Estate of William Fink, deceased, together with any and all rights to demand, enforce and collect the same,

[Vesting Order 9404]

YAMADA &amp; CO.

In re: Debt owing to Yamada & Company, F-39-5035-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yamada & Company, the last known address of which is Osaka, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligations owing to Yamada & Company by J. Kahn & Co., Inc., 1203 Cotton Exchange Building, Dallas, Texas, in the amount of \$1,673.35, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 14, 1947.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 16, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7189; Filed, July 30, 1947;  
8:58 a. m.]

[Vesting Order 9434]

FRAU HELENE VON SCHIERHOLZ

In re: Debt owing to the personal representatives, heirs, next of kin, legatees and distributees of Frau Helene Von Schierholz, deceased. D-28-1903-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Frau Helene Von Schierholz, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of City Bank Farmers Trust Company, 22 William Street, New York 15, New York, in the amount of \$294.29, as of December 31, 1945, evidenced by Secretary's check #T-16335, issued February 10, 1941, by City Bank Farmers Trust Company, drawn to the order of Deutsche Bank, a/c Frau Helene Von Schierholz, Filiale Mannheim—Mannheim Baden, Germany, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on

account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Frau Helene Von Schierholz, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 16, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7190; Filed, July 30, 1947;  
8:58 a. m.]

[Vesting Order 9435]

CLARA WAGNER

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Clara Wagner, deceased. F-28-25273-A-1, F-28-25273-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Clara Wagner, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany);

2. That the property described as follows: Thirty (30) shares of \$10.00 par value common capital stock of Ideal Cement Company, 500 Denver National Building, Denver 2, Colorado, a corporation organized under the laws of the State of Colorado, evidenced by a certificate numbered F13968, registered in the name of Clara Wagner, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the

aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Clara Wagner, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 16, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7191; Filed, July 30, 1947;  
8:58 a. m.]

[Vesting Order 9437]

DR. RICHARD WOLTEROCK

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Dr. Richard Wolterock, deceased. F-28-28208-E-1, F-28-28208-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Dr. Richard Wolterock, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of First National Bank of Madison, Madison, Wisconsin, arising out of a Savings Account, account number 8659, entitled Magdalene Evans Juday, Trustee for Dr. Richard Wolterock, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Dr. Richard Wolterock, deceased, the aforesaid nationals of a designated enemy country (Germany);

## NOTICES

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Dr. Richard Wolterock, Deceased, are not within a designated enemy country, the national interest of the Untied States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 16, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7192; Filed, July 30, 1947;  
8:58 a. m.]

[Vesting Order 9442]

## DEUTSCHE EFFECTEN UND WECHSELBANK

In re: Stock owned by Deutsche Effecten und Wechselbank. F-28-5735-A-3.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Deutsche Effecten und Wechselbank, the last known address of which is Frankfurt am Main, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: Twenty-four (24) shares of \$0.10 par value common capital stock of American General Corporation, 120 Wall Street, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate number NCO-6283, registered in the name of Hurley & Co., and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the

aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 18, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7193; Filed, July 30, 1947;  
8:58 a. m.]

[Vesting Order 9451]

## MARGIT A. RAHT

In re: Bonds owned by the personal representatives, heirs, next of kin, legatees and distributees of Margit A. Raht, deceased. F-28-3066-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Margit A. Raht, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany);

2. That the property described as follows: Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, in bearer form, and presently in the custody of Clara J. W. Raht, 43 Cedar Street, New York, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Margit A. Raht,

deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 18, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

## EXHIBIT A

Description of issue	Certificate No.	Face value
The Atchison, Topeka & Santa Fe Ry. Co. 4% bonds due 1995.	M-61990/7	\$1,000.00
	M-64361	1,000.00
	D-22760	500.00
	D-27169	500.00
	M72112	1,000.00
	M69549	1,000.00
	M08015	1,000.00
	M72095	1,000.00
	M57781	1,000.00
	M40206	1,000.00
	M24794	1,000.00
	M21275	1,000.00
	D12477	500.00
	D10098	500.00
	D07056	500.00
	D16508	500.00
	M12312	1,000.00
	M77405	1,000.00
	M71661	1,000.00
	M24087	1,000.00
	M17616	1,000.00
	M49485	1,000.00
	M48304	1,000.00
	M33680	1,000.00
	M31443	1,000.00
	M9521	1,000.00
	M31098	1,000.00
	M16699	1,000.00
	M476	1,000.00
Central Pacific Ry. Co. 4% bonds due 1949.	C-076350/1	£200.00
	B135898	100.00
	B136026	100.00
	B229275	100.00
	B181278	100.00
	B226113	100.00
	B226117	100.00
	B181273	100.00
	B088737	100.00
	B242101	100.00
	B224385	100.00
	B133968	100.00
	B133967	100.00
	B133962	100.00
	B102786	100.00
	B102785	100.00
	B057147	100.00
	B127056	100.00
	B137127	100.00
	B181480	100.00
	B181481	100.00
	B229163	100.00
	B229164	100.00
	B241268	100.00
	B241259	100.00
	B242438	100.00
	B109664	100.00
	B109967	100.00
	B140620	100.00
	B152530	100.00

\* Each.

[F. R. Doc. 47-7132; Filed, July 29, 1947;  
8:52 a. m.]